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U. S. DEPARTMENT OF AGRICULTURE,
U.S. FOREST SERVICE.

HENRY S. GRAVES, Forester.

THE USE BOOK

A MANUAL FOR USERS OF THE NATIONAL FORESTS.

1913.

ISSUED BY THE
SECRETARY OF AGRICULTURE
JULY 1, 1913.

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30/3/14

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1913.

The Secretary * * * may make such rules and regulations * * * as will insure the objects of said reservations, namely, to regulate their occupancy and use and to preserve the forests thereon from destruction; and any violation of this act or such rules and regulations shall be punished (by $500 fine or twelve months' imprisonment, or both) as is provided for in the act of June fourth, eighteen hundred and eighty-eight, amending section fifty-three hundred and eighty-eight of the Revised Statutes of the United States. (Act of June 4, 1897, 34 Stat., 35.)

U. S. Department of Agriculture,
Forest Service,
Washington, D. C., June 12, 1913.

Sir: I have the honor to present for your approval a fourth revision of the regulations and instructions for the use of the National Forests. In this edition, which has been prepared especially for Forest users, those regulations affecting only Forest officers and not of interest to the public have been omitted.

Very respectfully,

Henry S. Graves,
Forester.

Hon. David F. Houston,
Secretary.

U. S. Department of Agriculture,
Office of the Secretary,
Washington, D. C., June 13, 1913.

The accompanying regulations have, under authority conferred by law upon the Secretary of Agriculture, already been approved, to take effect at different times, and all previous regulations in conflict with them revoked.

David F. Houston,
Secretary.

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FOREWORD.

National Forests are open to all persons for all lawful purposes. The timber, water, pasture, and other resources are for the use of the people, and the minerals are open to exploitation just as on unreserved public land. This manual tells how these resources may be obtained under reasonable conditions without delay.

Persons who wish to make any use of the resources of a National Forest for which a permit is required should consult the nearest Forest officer.

Twenty-five per cent of all receipts from National Forests are given to the counties in which they lie, to be used for schools and roads. An additional 10 per cent is expended by the Secretary of Agriculture upon roads and trails constructed primarily for the benefit of settlers within the Forests.

Regulations are printed in this type.

THE USE BOOK.

PART I.—ADMINISTRATION OF THE NATIONAL FORESTS.

RELATION OF FOREST OFFICERS TO THE PUBLIC.

Supervisors, rangers, and other Forest officers carry out the administrative policy prescribed for the National Forests by Congress, as embodied in the regulations made by the Secretary of Agriculture. As officers of the Government it is their duty to enforce these regulations without fear or favor.

Forest officers are also agents of the people, with whom they come into close relations, both officially and as neighbors and fellow citizens. They must answer all inquiries fully and cheerfully and be prompt, active, and courteous in the conduct of Forest business. It is their duty to assist the public in making use of the resources of the Forests. They aim to prevent misunderstanding and violation of Forest regulations by timely and tactful advice rather than to follow up violations by the exercise of their authority.

It is essential that Forest officers should win the respect and confidence of those with whom they come in contact. The Forest Service will not tolerate discourtesy or inefficiency in any of its members. Even the best, however, can not always give satisfactory service under adverse conditions. Forest officers can always render more and better service where they receive straightforward and friendly treatment. It is therefore within the power of Forest users to aid greatly in the efficient performance of the public business by according to Forest officers the same frankness, consideration, and courtesy which the Forest officers are expected to show them.

If there is just cause for complaint regarding the conduct of any Forest officer, the matter should be taken up in writing either with the immediate superior of the officer complained against or with the Forester at Washington, D. C.

PURPOSE AND LOCATION OF NATIONAL FORESTS.

The National Forests are large tracts of land, mainly mountainous and timbered, set apart to insure a perpetual supply of timber for home industries, to prevent destruction of the forest cover which regulates the flow of streams, and to protect forest and range from monopoly or abuse, to the injury of local residents and the public generally. The first Forest was created by President Harrison in 1891, under the name of the Yellowstone Park Timberland Reserve. Later forest reservations were called forest reserves, until in 1905 Congress changed the official designation to National Forests.

Congress has said that National Forests may be set aside from public lands covered wholly or in part with timber or undergrowth, whether of merchantable value or not. Some National Forests are heavily timbered and are set aside mainly for the value of the timber; others are located in thinly wooded regions mainly to protect and conserve the water supply, without which the country would be uninhabitable.

The National Forests are located chiefly in the Western States. In all there are 163 Forests, comprising a gross area of 187,000,000 acres, of which about 11,000,000 acres are alienated land held by States and individuals. Their names and areas are shown in a table in the back of this book.

Mountain lands are now being purchased, under the provisions of the Weeks law, from private owners in the Appalachian and White Mountain regions of the East. Eventually these will become National Forests.

HISTORY OF THE NATIONAL FORESTS.

As early as 1799, and again in 1817, Congress provided for the purchase of timberlands to supply the needs of the Navy. Other acts from time to time made similar provisions for setting apart forest land for specific purposes, but the first attempt to secure comprehensive administration of the forests on the public domain was in 1871, when a bill was introduced in the Forty-second Congress, which, however, failed of passage.

In 1876 $2,000 was appropriated "to employ a competent man to investigate timber conditions in the United States," and on June 30, 1886, an act was approved creating a Division of Forestry in the Department of Agriculture. On July 1, 1901, this division became the Bureau of Forestry, which, in turn, under the act of February 1, 1905, became the Forest Service.

With the increasing realization that the Nation's forest and water resources must be protected the necessity for retaining permanent Federal control over selected forest areas was recognized by a brief section inserted in the act of March 3, 1891 (26 Stat., 1095):

(1103) SEC. 24. That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof.

The mere creation and setting apart of forest reserves, however, without provision for their use, was both ineffectual and annoying to local interests dependent upon their resources. Consequently the Secretary of the Interior, in 1896, requested the National Academy of Sciences to recommend a national forest policy. This resulted in the passage of the act of June 4, 1897 (30 Stat., 11), under which, with subsequent enactments, National Forests are now administered. This act was as follows:

(34) All public lands heretofore designated and reserved by the President of the United States under the provisions of the act approved March third, eighteen hundred and ninety-one, the orders for which shall be and remain in full force and effect, unsuspended and unrevoked, and all public lands that may hereafter be set aside and reserved as public forest reserves under said act, shall be as far as practicable controlled and administered in accordance with the following provisions:

No public forest reservation shall be established, except to improve and protect the forest within the reservation, or for the purpose of securing favorable conditions of water flows, and to furnish a continuous supply of timber for the use and necessities of citizens of the United States; but it is not the purpose or intent of these provisions, or of the act providing for such reservations, to authorize the inclusion therein of lands more valuable for the mineral therein, or for agricultural purposes, than for forest purposes.

The Secretary of the Interior shall make provisions for the protection against destruction by fire and depredations upon the public forests and forest reservations which may have been set aside or which may be hereafter set aside under the said act of March third, eighteen hundred and ninety-one, and which may be continued; and he may make such rules and regulations and establish such service as will insure the objects of such reservations, namely, to regulate their occupancy and use and to preserve the forests thereon from destruction; and any violation of the provisions of this act or such rules and regulations shall be punished (by five hundred dollars fine or twelve months' imprisonment, or both) as is provided for in the act of June fourth, eighteen hundred and eighty-eight, amending section fifty-three hundred and eighty-eight of the Revised Statutes of the United States.

On the theory that the management of land, not Forests, was chiefly involved this law gave the Secretary of the Interior authority over the Forests, and provided that they should be surveyed, mapped, and classified by the United States Geological Survey and administered by the General Land Office. But the complex technical problems arising from the necessary use of forest and range soon demanded the introduction of scientific methods and a trained force, which could not be provided under the existing system. The advice and services of the Bureau of Forestry were found necessary, but under the law could be but imperfectly utilized. The necessity of consolidating the various branches of Government forest work became apparent, and was urged upon Congress by the

President and by the executive officers concerned. Finally, the act of February 1, 1905 (33 Stat., 628), transferred to the Secretary of Agriculture entire jurisdiction over the National Forests, except in matters of surveying and passage of title to land. This act was as follows:

The Secretary of the Department of Agriculture shall, from and after the passage of this act, execute or cause to be executed all laws affecting public lands heretofore or hereafter reserved under the provisions of section twenty-four of the act entitled "An act to repeal the timber-culture laws, and for other purposes," approved March third, eighteen hundred and ninety-one, and acts supplemental to and amendatory thereof, after such lands have been so reserved, excepting such laws as affect the surveying, prospecting, locating, appropriating, entering, relinquishing, reconveying, certifying, or patenting of any such lands.

THE FOREST SERVICE AND THE NATIONAL FORESTS.

ESTABLISHMENT.

The Secretary of Agriculture is empowered by Congress to "make such rules and regulations, and to establish such service as will insure the objects of such reservations (National Forests), namely, to regulate their occupancy and use, and to preserve the forests from destruction." Under the provisions of this act the Secretary has made and published regulations relating to the protection and use of the National Forests, and has established the Forest Service to carry such regulations into effect.[1]

PURPOSES OF ADMINISTRATION.

The regulations and instructions for the use of the National Forests given in this manual are in accordance with the organic acts and with the various supplementary and amendatory laws passed since June 4, 1897. They embody the general policy laid down for the Forest Service by the Secretary of Agriculture in his letter to the Forester dated February 1, 1905:

"In the administration of the forest reserves it must be clearly borne in mind that all land is to be devoted to its most productive use for the permanent good of the whole people and not for the temporary benefit of individuals or companies. All the resources of forest reserves are for use, and this use must be brought about in a thoroughly prompt and businesslike manner, under such restrictions only as will insure the permanence of these resources. The vital importance of forest reserves to the great industries of the Western States will be largely increased in the near future by the continued steady advance in settlement and development. The permanence of the resources of the reserves is therefore indispensable to continued prosperity, and the policy of this department for their protection and use will invariably be guided by this fact, always bearing in mind that the conservative use of these resources in no way conflicts with their permanent value.

"You will see to it that the water, wood, and forage of the reserves are conserved and wisely used for the benefit of the home builder first of all, upon whom depends the best permanent use of lands and resources alike. The continued prosperity of the agricultural, lumbering, mining, and live-stock interests is directly dependent upon a permanent and accessible supply of water, wood, and forage as well as upon the present and future use of these resources under businesslike regulations enforced with promptness, effectiveness, and common sense. In the management of each reserve local questions will be decided upon local grounds; the dominant industry will be considered first, but with as little restriction to minor industries as may be possible; sudden changes in industrial

[1] The public lands are held in trust for the whole people, not for the people of the States within which they are located. The Government has in its lands all the rights of an individual proprietor to maintain its possession and prosecute trespassers. It may deal with them as an individual may deal with his lands. It may sell or withhold them from sale or settlement. It may absolutely prohibit or fix the terms on which they may be used. The constitutional declaration that "Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or the property belonging to the United States" (Art. IV, sec. 3) places in Congress authority and discretion to exercise the above rights and powers; and Congress may therefore reserve or authorize the President to reserve public lands as National Forests without the consent of the State within whose borders they lie. (From decision of United States Supreme Court, Light *v.* United States, 220 U. S., 523, and cases therein cited.)

conditions will be avoided by gradual adjustment after due notice, and where conflicting interests must be reconciled the question will always be decided from the standpoint of the greatest good to the greatest number in the long run."

ORGANIZATION.

The administration of the National Forests and the conduct of all matters relating to forestry which have been placed upon the Department of Agriculture by Congress are, under the direction of the Secretary of Agriculture, in charge of the Forester, who is the Chief of the Forest Service. The office of the Forester is in Washington, D. C.

Administrative districts.

For the better administration of the National Forests six districts have been established, with headquarters at the following places:

District 1, Missoula, Mont.
District 2, Denver, Colo.
District 3, Albuquerque, N. Mex.
District 4, Ogden, Utah.
District 5, San Francisco, Cal.
District 6, Portland, Oreg.

Each administrative district embraces a number of National Forests, and is in charge of an officer known as the district forester, who is responsible to the Forester for all administrative and technical work performed within the district. Each district forester is aided by several assistant district foresters and specialists in various branches of the work.

QUALIFICATIONS AND DUTIES OF FOREST OFFICERS.

All permanent positions in the Forest Service are in the classified civil service. Vacancies are filled through selections from eligibles certified by the Civil Service Commission and by promotion in rank. Definite information as to the times and places at which examinations are held may be obtained only from the Civil Service Commission, Washington, D. C.

Supervisors and deputy supervisors.

Each National Forest is in charge of a forest supervisor, who plans the work on his Forest under the instructions of the district forester and supervises its execution. When the amount of business on a National Forest warrants it, the supervisor is assisted by a deputy supervisor, who has such duties and authority as may be delegated to him by the supervisor.

The positions of forest supervisor and deputy supervisor are filled only by the promotion or transfer of experienced men from classified positions in the Forest Service.

Supervisors' headquarters are located in towns conveniently situated with regard to the Forests.

Forest examiners.

Forest examiners are employed upon such lines of technical work on the National Forests as the examination and mapping of forest areas, reports on applications for the purchase of timber, marking, scaling, and managing timber sales, survey of boundaries, nursery work, and forest planting. The forest examiner is placed directly under the supervisor, who directs his work and to whom he submits his reports. The position is filled through a technical examination, calling for a great deal of specialized knowledge. Only applicants with the following minimum training and experience are eligible for examination: (*a*) Not less than one full school year's theoretical and practical experience in forestry at a forest school or an established department of forestry in an institution of collegiate grade; (*b*) for those who have not attended a forest school, not less than two years' experience in practical forestry in the field. The examination is held in March of each year. The entrance salary, for the grade of forest assistant, is $1,100 per annum, and the appointee may be required to supply his own horse and riding equipment.

Rangers.

Routine work involved in the supervision of timber sales, grazing, free use, special use, and other contracts and permits, the carrying out of the protection

and improvement plans, and other administrative activities is performed by rangers. Each Forest is divided into ranger districts of such a size that, under ordinary conditions, all the regular work can be handled effectively by one fully qualified ranger with the necessary temporary assistants. The average ranger district has about 60,000 acres, but where means of travel and communication are good, or where there is only a small volume of business or the fire hazard is low, very much larger districts may be established.

The district rangers have their headquarters at the nearest business center, or if that is not practicable, permanent headquarters with barn and pasture are provided on the Forests.

The requirements for assistant forest ranger, the grade to which appointments are made, are as follows:

REGULATION G. A.–1. Only citizens of the United States and those who have declared their intention to become such, and who are between the ages of 21 and 40, are eligible for ranger examinations. Selection for appointment will be made when practicable from qualified citizens of the State in which the National Forests, respectively, are situated. These qualifications will not be waived under any circumstances. (Issued August 12, 1912.)

The entrance salary is $1,100 per annum, and the appointee will nearly always be required to provide his own horse or other means of transportation, though a limited amount of forage is usually supplied by the Service.

Physical soundness and endurance are essential on account of the heavy labor and exposure involved in such work as building improvements and fighting fire. The examination consists of a written test, a field test embracing compass surveying, timber work, and the handling of horses, and a rating of training, experience, and fitness. In the Southwest a knowledge of the Spanish language is also required. The examination is usually given in October of each year, at each supervisor's headquarters. The most successful rangers are usually those who have been brought up in timber work or on ranches or farms, and who are thoroughly familiar, through long residence, with the region in which they are employed.

Lumbermen.

Lumbermen are appointed after a civil-service examination, which requires much previous experience in woods work and a high degree of proficiency in cruising, logging, and milling. A thorough knowledge of scaling methods is absolutely necessary. Lumbermen are assigned temporarily to Forests where the need for their work arises.

Scalers.

Scalers are appointed after a civil-service examination, which requires much previous experience in scaling and woods work.

Planting assistants.

The position of planting assistant requires special training in nursery and planting work. The duties include the preparation of seed beds, seed sowing, transplanting and care of seedlings, and field planting.

Forest guards, field assistants, and temporary laborers.

Skilled and unskilled labor of a temporary character required in the use, protection, and improvement of the National Forests, is performed by forest guards, field assistants, and temporary laborers. These positions are not in the classified civil service, but are filled through selection by the forest supervisor or by officers in charge of field parties, to whom application for employment should be made.

Forest clerks.

Clerical work in the supervisor's office is performed by forest clerks. Only male applicants are admitted to the examination, which is held as required. Proficiency in stenography, typewriting, and the elements of bookkeeping is tested. The entrance salary is from $1,100 to $1,200.

Minor clerks and stenographers are selected from the register established for the Government service at large, in which no sex limitation exists. The entrance salary is ordinarily $900 per annum.

AUTHORITY OF FOREST OFFICERS.

All Forest officers have power to arrest without warrant any person whom they discover in the act of violating the National Forest laws and regulations, or if a violation of such laws and regulations is committed out of the view of such officers they have the authority to secure a warrant from a United States commissioner, or, if one is not convenient, from a justice of the peace, and use it as the visible sign of the right to arrest, and also to arrest for any such violation on a warrant obtained by any competent person.

ACCESSIBILITY OF PUBLIC RECORDS.

REGULATION G. A.-5. In general, the papers on file in the offices of the Forest Service relating to the transaction of National Forest business are public records, and as such are open to the public. Information should not be refused to persons whose interest is legitimate. Recommendations on matters pending should not be made public. Equal opportunities for information must be given to all persons having an interest in any transaction. In conformity with the practice and at the request of the Department of the Interior, all reports on public-land claims will be treated as confidential, and may be examined only by duly authorized officers and employees of the Government. Personnel reports are confidential, and may be examined only by duly authorized officers of the Government. Under no circumstances will inquirers be permitted to take papers from the files outside of the building. (Issued August 12, 1912; amended to read as above May 9, 1913.)

ASSOCIATIONS OF FOREST USERS.

REGULATION G. A.-10. Wherever any association whose membership includes a majority of the local residents using a National Forest, or portion thereof, for like purposes, shall select a committee, an agreement on the part of which shall be binding upon the association, such committee, upon application to the district forester, may be recognized in an advisory capacity on behalf of the association and shall be entitled to receive notice of proposed action and have an opportunity to be heard by the local Forest officer in reference to any proposed changes likely to materially affect the use or interest in the Forest or portion thereof enjoyed by such permittees. The general principles of recognition and responsibility governing cooperation with live-stock associations are herewith extended, so far as they are applicable, to the other regular lines of business conducted on the National Forests. (Issued July 3, 1913, to take effect July 15, 1913.)

HOW TO REMIT MONEY.

Forest officers are prohibited from receiving payments for the sale of timber or the use of any forest lands or resources. All such payments must be made to a designated depository of the United States Treasury. The remittance to the depository should be in the form of a draft on New York or a postal or express money order, and must be accompanied by a letter explaining the purpose of the remittance. Form letters of transmittal for this purpose will be furnished by Forest officers.

The designated depositories are as follows:

District 1, Western Montana National Bank, Missoula, Mont.
District 2, Denver National Bank, Denver, Colo.
District 3, First National Bank, Albuquerque, N. Mex.
District 4, First National Bank, Ogden, Utah.
District 5, First National Bank, San Francisco, Cal.
District 6, Lumbermens National Bank, Portland, Oreg.

PART II.—TIMBER SALES, TIMBER SETTLEMENT, FREE USE.

TIMBER SALES.

NATIONAL FOREST TIMBER FOR SALE.

All mature timber on the National Forests which may be cut with benefit, in accordance with the principles of forestry, is for sale, and will be offered as demand arises. Only stumpage is sold, the title to the land remaining with the Government. Timber may be sold in amounts ranging from a few thousand feet up to whatever amount may be necessary to warrant the investment required for constructing a railroad or other means of transportation into comparatively inaccessible regions.

PURCHASER'S FIRST STEP.

The first step for anyone desiring to purchase Government timber is to communicate with an officer of the Forest on which the timber is located. If the amount desired is small, the local ranger can arrange the sale without delay. Amounts valued at more than $50 can be sold only by the supervisor or by the district forester or the Forester, according to the size of the sale. (See Reg. S-3. This and other regulations relating to timber sales are grouped on pages 25-29.)

Many remote timber areas have been cruised, and supervisors are in possession of reports showing the location, amount of timber, and the other facts upon which an opinion of the chance is usually based. Information with regard to available areas or the sale of National Forest timber may be secured by addressing the Forester, Forest Service, Washington, D. C.; the district forester at either Missoula, Mont.; Denver, Colo.; Albuquerque, N. Mex.; Ogden, Utah; San Francisco, Cal.; or Portland, Oreg.; or the Forest Service, Federal Building, Chicago, Ill.

FOUR CLASSES OF SALES.

Class.	By whom approved.	Maximum amount sold.	Time required to consummate sale.
A	Ranger	$50 (unadvertised)	1 to 5 days.
B	Supervisor	$100 (unadvertised)	1 to 15 days.
C	do	2,000,000 feet b. m. (advertised)	35 to 90 days.
D	District forester or Forester	Over 2,000,000 feet b. m. (advertised)	45 to 200 days.

ADVERTISEMENT OF SALE.

All sales exceeding $100 in amount must be advertised, except those made to homestead settlers and farmers under the terms of Regulation S-9. Procedure in an advertised sale is as follows: After the applicant has selected the body of timber which he wishes to purchase, he will be furnished by the supervisor with a sample application stating the area, estimated amount, minimum stumpage price, period allowed for cutting and removing the timber, and other conditions to be complied with, following as closely as possible the form of the final sale agreement. If the applicant accepts these conditions, he is required to deposit an amount exceeding the total estimated cost of advertising by approximately 25 per cent. The minimum deposit is $10. A notice of the sale of the timber is then published, the choice of mediums and number of insertions depending upon whether the sale is of local, regional, or general interest. This notice describes the timber, gives the minimum stumpage prices that will be accepted, and specifies the date upon which sealed bids will be

received. The period of advertising will be at least 30 days, and in large sales may be 90 days or 6 months. Forms for bidding will be furnished to the original applicant and others who signify their intention to bid.

DEPOSIT WITH BID.

A deposit is required with all bids to show the good faith of the bidder. In large transactions it is usually from 3 to 5 per cent of the purchase price.

AWARDING A SALE.

On the date specified in the advertisement the supervisor (or district forester) opens all bids received and awards the sale to the highest bidder. A sale contract is then prepared and executed by the purchaser.

FINANCIAL STANDING OF APPLICANT.

A specific statement of financial ability will be required in all sales of 10,000,000 feet or more and in smaller sales in the discretion of the approving officer (Reg. S-14). Such a statement may be required when necessary in the judgment of the approving officer before the approval of a sale application, either formal or tentative, and in any event before the timber is awarded to the successful bidder.

BONDS.

The contract must be supported by a suitable bond given by two responsible sureties or by a surety company authorized to do business with the United States (Reg. S-14). The following table indicates the amount of the bond to be furnished:

Amount of sale.	Amount of bond.
$3,000-$5,000	$500
5,000-10,000	1,000
10,000-20,000	2,000
20,000-30,000	3,000
30,000-40,000	4,000
40,000-75,000	5,000
Above 75,000	6,000-20,000

In sales exceeding 100,000,000 feet the amount of the bond required is approximately 5 per cent of the value of the timber at the initial stumpage rates.

For bonds in connection with steam sawmills, see p. 68.

THE SALE CONTRACT.

The sale contract contains in full all the conditions under which the cutting is to be done.

General stipulations.

In all sales of National Forest stumpage the contract provides that no timber shall be cut until it has been paid for, and that it shall not be removed until it has been scaled by the Forest officer. All live timber will be marked or otherwise designated before cutting, and any merchantable timber utilized for improvements will be scaled and paid for. The maximum stump height ordinarily is 18 inches, and merchantable timber must be used to a specified diameter in the tops, which is adjusted for each species in accordance with local manufacturing and market conditions. The officer in charge of the sale is authorized to vary the stump height and top diameter in individual cases when those specified in the contract are not practicable. Tops must be trimmed up and, as a rule, brush must be piled and burned, or burned without piling, under the direction of Forest officers. Merchantable timber which is not cut and removed, and unmarked trees which are cut, must be paid for at double the specified stumpage rates.

All camps, buildings, railroads, and other improvements necessary in logging and manufacturing the timber may be constructed upon National Forest land without charge. Railroads which open up inaccessible regions may be required to be made common carriers or to transport logs or lumber for other purchasers from the Government at reasonable rates.

Fire protection.

Since fire protection is one of the most important duties of the Forest Service, provision is made in all contracts that the purchaser place himself and employees, as well as the employees of contractors, at the disposal of authorized Forest officers in fighting fires. Reimbursement for such services will be made at the wages in vogue for fighting fire on the Forest in question, unless the fire threatens the timber purchased or property of the operator, or is started in connection with the operation. Under these conditions the purchaser is expected to furnish his available employees to assist the Government in fire fighting without charge. Efficient spark arresters are required on wood and coal burning boilers or locomotives. (Reg. S–10.) Inflammable material must be cleaned up in the vicinity of logging engines, and other precautions taken to insure against fire spreading from this source. Snags and diseased trees upon the sale area must usually be felled, whether merchantable or not, in order to remove fire menace and to check the spread of timber infection or insect pests.

WHEN CUTTING MAY BEGIN.

As soon as the contract is executed and the first payment made a portion of the timber will be designated for cutting and the purchaser may begin operations at once.

ADVANCE CUTTING.

Applications for permission to begin cutting in advance of the execution of the contract will be approved or recommended only to prevent serious hardship and delay or unnecessary expense to the purchaser. (Reg. S–8.)

The permit for advance cutting does not give the applicant the right to take all the timber which he has applied for at the rate of the highest bid, but merely to take such timber as he cuts before the completion of the advertisement. In no case will he be allowed to cut timber in excess of the amount covered by his deposit. If the only bid received is from the applicant for advance cutting, and if this is accepted, the supervisor will allow cutting to continue after the expiration of the advertisement until the contract is presented for execution, provided the deposits are sufficient. The bid must be submitted and a contract providing for payment at the highest price bid executed immediately, otherwise cutting will be suspended until these requirements are met.

PRIVATE SALE OF ADVERTISED TIMBER.

Contracts to dispose of timber which has been advertised but for which no satisfactory bid was received or sale consummated may be made at any time, through private negotiations, by the officer having authority to sell the amount of timber involved. The price must not be less than the highest price offered, if any bid was received, and in no case less than the minimum named in the advertisement. (Reg. S–9.)

UNADVERTISED SALES TO SETTLERS AND FARMERS.

Sales to homestead settlers and farmers under Regulation S–9 will be made without advertisement, in any amount desired, at the price fixed annually for each National Forest region of similar conditions by the Secretary as equivalent to the actual cost of making and administering such sales.

Only material to be used by the purchaser for domestic purposes exclusively on homesteads or farms will be sold under this regulation. Such uses include the construction or repair of farm buildings of any character, fences and other improvements, and fuel. Sales under this regulation will not be made to agents employed by the person or persons who will use the timber cut, to manufacturers or others who propose to sell the material to settlers or farmers, or to persons who have on their own lands a sufficient and reasonably accessible supply of material suitable for the purposes required. Such sales will, furthermore, be restricted to mature dead and down timber which may be cut without injury to the Forest, as close utilization of inferior species and grades of material as practicable for the purposes of the purchaser will be required.

MARKING TREES TO BE CUT.

In order to insure proper restocking of the ground, all live trees must be marked or designated by the Forest officer before cutting. If desired, sample areas will be marked for the information of the purchaser before the final contract is signed. Usually one-tenth to one-third of the stand is reserved either scattered over the entire tract or distributed in groups.

SCALING TIMBER.

Although the contract contains an estimate of the timber to be cut, National Forest timber is not sold upon mere estimate. Payment is made upon the actual log scale of the timber cut, according to the Scribner Decimal C Rule. Scaling will be done by an officer of the Forest Service and proper allowance made for defects. Purchasers may be required to skid logs for scaling, unless this will greatly increase the cost of logging.

Log lengths.

On all National Forests, except those in Alaska and west of the summit of the Cascade Mountains in Washington and Oregon, logs over 16 feet long will be scaled as two or more logs in lengths not less than 12 feet, if possible.

Special rule for Alaska and west slope of Cascades.—On the National Forests in Alaska and west of the Cascade Mountains in Washington and Oregon logs up to and including 32 feet long will be scaled as one log; lengths from 33 feet to 64 feet, inclusive, will be scaled as two logs, dividing them at the center as near as may be in even feet. Thus a 34-foot log will be scaled as an 18-foot log and a 16-foot top log. A 36-foot log will be scaled as two 18-foot logs.

Unnecessary loss in manufacture not considered.

It is assumed that purchasers utilize the maximum amount of material in manufacture. Since the Government can not be held responsible for loss caused by poor equipment or poor management, the scaler will not take them into consideration.

The loss may be caused by too thick slabbing, cutting material too thick or too wide at the main saw, poorly "sized" lumber, excessive "crowding" by the sawyer, poorly kept saws which "run," waste in topping and trimming through ignorance or carelessness, or sawing for a certain class of material regardless of the waste it involves.

Measuring diameters.

All diameters will be measured inside the bark at the top end of the log. Diameters will be rounded off to the nearest inch above or below the actual diameter.

Merchantable material.

In general a log containing sufficient sound material to saw out salable lumber equal to one-third of its contents as given by the scale rule is termed merchantable. This will be varied in accordance with the character of the timber and local market conditions.

Ties.

Ties are sold by the piece, actually scaled or counted, and the number multiplied by the average contents as the contract provides. The following ratios are used: 8-foot ties, standard face, 33⅓ board feet each, or 30 ties to the thousand; 8-foot ties, second class, and 6-foot ties, standard face, 25 board feet each, or 40 ties to the thousand.

Shakes and shingle bolts.

Shake and shingle material is measured by the cord or by the thousand feet, board measure, acording to local custom. As a rule, a cord of shingle bolts is considered equal to 600 board feet.

Lagging.

Lagging is measured by the cord or linear foot or by the piece, or where split lagging is used by the board foot, each cubic foot counting as 12 board feet.

Poles, posts, etc.

Poles, posts, piles, and stulls are scaled and sold by the linear foot or by the piece, as circumstances warrant.

STAMPING LOGS AND OTHER MATERIAL.

After scaling, each merchantable log will be stamped "US" on at least one end; each stick of timber, tie, post, pole, and pile is stamped on at least one end. Cordwood is stamped at both top and bottom of each pile.

Scribner Decimal "C" Log Rule.

FOR LOGS UP TO AND INCLUDING 32 FEET IN LENGTH.

[Contents of logs.]

Diameter in inches.	Length (feet)—													
	6	8	10	12	14	16	18	20	22	24	26	28	30	32
	Board feet.	*Board feet.*	*Board feet.*	*Board feet.*	*Board feet.*	*Board feet.*	*Board feet.*	*Board feet.*	*Board feet.*	*Board feet.*	*Board feet.*	*Board feet.*	*Board feet.*	*Board feet.*
6	0.5	0.5	1	1	1	2	2	2	3	3	3	4	4	5
7	0.5	1	1	2	2	3	3	3	4	4	4	5	5	6
8	1	1	2	2	2	3	3	3	4	4	5	6	6	7
9	1	2	3	3	3	4	4	4	5	6	6	7	8	9
10	2	3	3	3	4	6	6	7	8	9	9	10	11	12
11	2	3	4	4	5	7	8	8	9	10	11	12	13	14
12	3	4	5	6	7	8	9	10	11	12	13	14	15	16
13	4	5	6	7	8	10	11	12	13	15	16	17	18	19
14	4	6	7	9	10	11	13	14	16	17	19	20	21	23
15	5	7	9	11	12	14	16	18	20	21	23	25	27	28
16	6	8	10	12	14	16	18	20	22	24	26	28	30	32
17	7	9	12	14	16	18	21	23	25	28	30	32	35	37
18	8	11	13	16	19	21	24	27	29	32	35	37	40	43
19	9	12	15	18	21	24	27	30	33	36	39	42	45	48
20	11	14	17	21	24	28	31	35	38	42	45	49	52	56
21	12	15	19	23	27	30	34	38	42	46	49	53	57	61
22	13	17	21	25	29	33	38	42	46	50	54	58	63	67
23	14	19	23	28	33	38	42	47	52	57	61	66	71	75
24	15	21	25	30	35	40	45	50	55	61	66	71	76	81
25	17	23	29	34	40	46	52	57	63	69	75	80	86	92
26	19	25	31	37	44	50	56	62	69	75	82	88	94	100
27	21	27	34	41	48	55	62	68	75	82	89	96	103	110
28	22	29	36	44	51	58	65	73	80	87	95	102	109	116
29	23	31	38	46	53	61	68	76	84	91	99	107	114	122
30	25	33	41	49	57	66	74	82	90	99	107	115	123	131
31	27	36	44	53	62	71	80	89	98	106	115	124	133	142
32	28	37	46	55	64	74	83	92	101	110	120	129	138	147
33	29	39	49	59	69	78	88	98	108	118	127	137	147	157
34	30	40	50	60	70	80	90	100	110	120	130	140	150	160
35	33	44	55	66	77	88	98	109	120	131	142	153	164	175
36	35	46	58	69	81	92	104	115	127	138	150	161	173	185
37	39	51	64	77	90	103	116	129	142	154	167	180	193	206
38	40	54	67	80	93	107	120	133	147	160	174	187	200	214
39	42	56	70	84	98	112	126	140	154	168	182	196	210	224
40	45	60	75	90	105	120	135	150	166	181	196	211	226	241
41	48	64	79	95	111	127	143	159	175	191	207	223	238	254
42	50	67	84	101	117	134	151	168	185	201	218	235	252	269
43	52	70	87	105	122	140	157	174	192	209	227	244	262	279
44	56	74	93	111	129	148	166	185	204	222	241	259	278	296
45	57	76	95	114	133	152	171	190	209	228	247	266	286	304
46	59	79	99	119	139	159	178	198	218	238	258	278	297	317
47	62	83	104	124	145	166	186	207	228	248	269	290	310	331
48	65	86	108	130	151	173	194	216	238	260	281	302	324	346
49	67	90	112	135	157	180	202	225	247	270	292	314	337	359
50	70	94	117	140	164	187	211	234	257	281	304	328	351	374
51	73	97	122	146	170	195	219	243	268	292	315	341	365	389
52	76	101	127	152	177	202	228	253	278	304	329	354	380	405

PAYMENTS FOR TIMBER.

Payment must be made for all timber in advance of cutting. (Reg. S–5, p. 26.) This, however, does not imply that one advance payment must be made covering the stumpage value of all the timber included in the sale. Frequent

installments are allowed, sufficient usually to cover the cut of one or tw months. (Reg. S-6.) As soon as one installment is exhausted the purchaser i requested to make another.

This arrangement makes it possible to secure large tracts of National Fores timber at a very slight initial outlay and to hold them with almost no interes charges. The other usual carrying charges, taxes, and fire protection ar eliminated. The timber is protected from fire by the United States throughou the life of the contract.

Requests for postponements of payments can not be considered. In sales o $100 or less the full amount will as a rule be required in one payment i advance of cutting.

Money deposited to cover cost of advertisement or to secure advance cuttin may be credited toward the amount to accompany bid.

REFUNDS.

Deposits to cover cost of advertising and to accompany bids apply on th first payment if a sale is awarded to the depositor; otherwise they will b refunded. If, however, an examination is made and timber advertised as a result of an application and the applicant fails to complete the purchase, a sum sufficient to cover the cost of making the examination and advertising th timber may be retained, at the discretion of the officer approving the sal (Reg. S-4.) Refunds to bidders will be made in Class C sales on vouchers prepared by the supervisor and in Class D sales on vouchers prepared by th district forester.

If a purchaser who has deposited money in a timber sale afterwards violate any of the terms of his contract, an amount sufficient to cover damages cause to the United States may be withheld from the refund otherwise due him.

Purchasers who have complied with the terms of their contract and hav cut all the designated timber from the sale area are entitled to the refund o any balance they may have on deposit. (Reg. S-5.) When a contract is can celed by mutual agreement a refund of the amount not due the United State may be made, provided the terms of the contract have been complied with Generally speaking, all money not due the Government on any transaction wil be refunded unless the purchaser has willfully neglected to remove his timbe within the time specified, or has been negligent in carrying out the terms o the contract. Refunds of $1 or less will not be made unless the purchase definitely requests it. Refunds can be made only to the original depositor o his executor or administrator, and in the latter case an exemplified copy o letters testamentary or of administration must accompany the voucher. Th original will be executed by the depositor or his legal representative.

DETERMINATION OF STUMPAGE RATES.

The minimum stumpage rates applicable in each proposed sale are determined by a careful study of the conditions in the particular case. A careful estimate of the cost of operation is first made. This includes the cost of brush disposal, cutting snags, and other special requirements of Forest Service contracts. If not already at hand, the average selling price of the manufactured material is ascertained for the locality in which the product will be marketed. A deduction is then made to assure the purchaser a profit at a reasonable rate upon his investment. The rate of profit will vary with the degree of risk involved. The stumpage rate for each species is then determined by deducting the cost of operation and the profit from the average sale price.

PERIOD OF CUTTING.

Ordinarily the cutting period allowed in each sale will be only sufficient to permit the removal of the timber at a reasonable rate, approximately equivalent to the working capacity of the plant. Sales of accessible timber usually do not exceed five years in length. However, in the case of inaccessible tracts requiring a large investment for transportation facilities an exception may be made and longer cutting periods granted. (Reg. S-13.)

READJUSTMENTS OF STUMPAGE RATES BY PERIODS.

In all sales exceeding five years in length provision will be made to have the stumpage rates readjusted by the Forester at the end of three or five year

intervals. The readjusted prices will be based upon increases in the average selling price of the lumber. A certain percentage of the increase in the average selling price during the two years preceding each readjustment will be added to the initial rates by the Forester, fixing the price for the next three or five years. This proportion is always specified in the contract and is intended to allow the purchaser a sufficient part in the increase in selling price to cover any possible increase in the cost of production. The readjustment provision will be varied in specific cases to make the contract equable for the purchaser under actual conditions as to amount of investment, estimated profits, risk, etc.

Contracts may be modified to prevent unnecessary hardships to purchasers, when such modification will not cause damage or loss to the United States. No Forest officer can modify a contract verbally. (Reg. S-7.)

ADMINISTRATION OF SALES BY FOREST SERVICE.

The chief objects of timber-sale administration are to obtain complete utilization and to leave the sale area in the best possible forest condition at a minimum cost to the Service. Operations must conform to reasonable requirements in the interest of economical administration. Scaling or measuring timber must be made possible without unnecessarily frequent visits by a Forest officer. Cutting will be required in amounts to permit this principle to be applied.

CANCELLATION OF CONTRACTS.

Contracts may be canceled by mutual agreement when for valid business reasons the purchaser becomes unable or unwilling to continue operations, provided no loss or damage to the interests of the United States will result from such cancellation.

Enforced cancellation may take place on account of serious violation of the terms of the contract by the purchaser. This action is taken only by the superior of the officer who approved the contract, and after the purchaser has been given a reasonable time to show cause, in writing, why the contract should not be canceled.

MONOPOLY.

Should any question of monopoly through the possible control of large quantities of National Forest timber by affiliated operators arise, a certified statement of the relation of the applicant or operator to other purchasers of National Forest timber may be required. A certified statement of the membership of firms and lists of stockholders in corporations may similarly be required. Lumber companies already holding large amounts of timber on private lands may be refused sales if there are any other purchasers, and companies having one sale may be refused others until the first has been cut.

TIMBER SALE REGULATIONS.

Appraisal of timber.

REGULATION S-1. No timber shall be designated for cutting, by stamping or otherwise, until the officer approving the sale is satisfied that the cutting will preserve the living and growing timber, promote the younger growth, and be compatible with the utilization of the Forest. Upon application for the purchase of any timber or in any cases where timber is to be advertised in advance of application such timber shall be examined and appraised, and the area from which the timber is to be cut shall be described by legal subdivisions or otherwise. The officer making the field examination shall report the quantity and value of the various kinds of timber involved, and shall base his appraisal upon the character of the timber, the cost of logging, transportation, and manufacture, and the sale value of the manufactured products at practicable markets. (Issued October 31, 1911, to take effect December 1, 1911.)

Authority to make sales.

REGULATION S-3. The Forester is authorized to make timber sales for any amount on any National Forest, provided the limit fixed by the Secretary for any Forest is not exceeded by the year's cut, under sales and free use on such Forest; and to delegate this authority for any specified amounts to the district foresters, but in no instance to exceed 20,000,000 feet board measure. The

district forester may in turn delegate authority to supervisors to make sa for specified amounts, which in no instance shall exceed 2,000,000 feet bo measure. All supervisors may, without special authorization, make sales timber and cordwood in amounts not exceeding $100 in value in any one sa The supervisor may authorize subordinate Forest officers to make sales timber and cordwood in amounts not exceeding $50 in value in any one sa (Issued October 31, 1911, to take effect December 1, 1911.)

Deposits.

REGULATION S-4. The supervisor may, in his discretion, require that a posit be made with the proper United States depository before any tim applied for is examined. In every case where a supervisor decides to recomm a sale of timber, for which advertisement is required by law, he will notify applicant to forward to the proper United States depository such part of purchase price as will be sufficient to cover the cost of advertising; su deposit to be applied to the purchase price in case the sale is made to depositor; to be refunded in case the sale is made to some one other than depositor; to be retained in the discretion of the officer approving the sale, through fault of the depositor, no sale of timber is made. (Issued October 1911, to take effect December 1, 1911.)

Payments and refunds.

REGULATION S-5. No timber shall be cut under any timber-sale contract un it has been paid for. Refunds may, in the discretion of the Forester or dist forester, be made to depositors of such sums deposited by them to secure purchase price of forest products as may be found to be in excess of the amou actually due the United States. Refunds or payments may also be made to rightful claimants of such sums as may be found to have been erroneou collected for timber or other forest products sold from lands within, but not part of, a National Forest. (Issued October 31, 1911, to take effect Decemb 1, 1911.)

Installment payments.

REGULATION S-6. In any sale the timber may be paid for in one or mo payments as agreed. In sales of $100 or less the partial payments must n exceed three. (Issued October 31, 1911, to take effect December 1, 1911.)

Modification of contracts.

REGULATION S-7. Modifications of contracts for the sale of timber will n be allowed except in those cases where the full performance of the contract the purchaser is rendered inequitable and unjust by some act of the Unit States, or except where the modification is sought in respect to the unexecut portion of the contract and such modification would not be prejudicial to t interests of the United States. Modifications, where proper, within the mea ing of this regulation, may be made by the officer aproving the sale, or by h superior officer. (Issued October 31, 1911, to take effect December 1, 1911.)

Advance cutting.

REGULATION S-8. Except in sales to homestead settlers and farmers und the terms of Regulation S-9, no timber will be sold, other than in amounts n exceeding $100 stumpage value, in advance of advertisement, except in cases unusual emergency. All applications for emergency sales of timber will be sub mitted to the Secretary of Agriculture for approval, with a statement settin forth the reasons for the emergency. When application is made for timber meet an unusual emergency the Forest officer authorized to make sale wil when practicable and proper, include in the advertisement of such timber sufficient quantity of other timber in the same locality and of the same class satisfy such other bids as may be reasonably anticipated. After approval b the Secretary, the Forest officer may, in sales not exceeding the amount whic such officer is authorized to approve, permit the cutting and removal of timbe in advance of the award, when the applicant has made a deposit covering th value of the timber to be cut and removed, and has agreed to pay for all timbe actually cut under the privilege of advance cutting at the rate of the highes price bid for the whole amount of timber advertised, or, if no bids are received at the rate named in the advertisement. When necessary to protect the Gov ernment against loss a bond will be required. (Issued October 31, 1911, to tak effect December 1, 1911; as amended December 5, 1912, to take effect Januar 2, 1913.)

Private sale of timber.

REGULATION S-9. After any timber has been advertised and no satisfactory bid has been received, or if the bidder fails to complete the purchase, Forest officers may, within their authorization, dispose of it at private sale in quantities to suit purchasers without further advertisement, at prices not lower than those named in the advertisement.

Timber may also be disposed of at private sale without advertisement where the stumpage value of the timber does not exceed $100.

Mature dead and down timber which may be cut without injury to the Forest will, upon application, be sold without advertisement in any desired amount to homestead settlers and farmers at the actual cost of making and administering such sales. Material will be cut under this regulation only for the domestic use of the purchaser upon his homestead or farm. The disposal of any part of such material for a money or other consideration, or in exchange for labor, services, or commodities furnished the purchaser in connection with its cutting, removal, or manufacture, is prohibited. If any of the foregoing requirements are violated, the sale will be terminated and the purchaser required to pay for all material cut at the maximum current rate fixed by the Secretary of Agriculture for such material on the Forest concerned.

On June 1 of each year the Secretary of Agriculture will determine upon data and information furnished by the Forester, the cost per thousand feet, board measure or other unit, of making and administering such sales in each National Forest region where similar conditions exist, which amount will be uniformly applied on all Forests in the region during the ensuing fiscal year as the stumpage price in sales to homestead settlers and farmers under this regulation. (Issued October 31, 1911, to take effect December 1, 1911; as amended December 5, 1912, to take effect January 2, 1913.)

Prevention of monopoly.

REGULATION S-10. In awarding advertised timber of a value exceeding $5,000, allotments at the highest price offered may be made to several bidders to prevent monopoly.

Before approving an application or accepting a bid, a statement of the relation of the applicant or bidder to other persons, firms, or corporations holding permits or agreements for the use of National Forest resources may be required in the discretion of the approving officer. Firms or corporations may be required to furnish a certified statement of their members or stockholders. (Issued October 31, 1911, to take effect December 1, 1911; as amended July 16, 1912.)

Exportation of timber.

REGULATION S-11. Timber cut from any National Forest may be exported from the State or Territory in which the National Forest is situated. Timber cut from any National Forest in Alaska may be exported therefrom and sold anywhere upon certification by the supervisor that the timber has been purchased and cut from a National Forest in Alaska. (Issued October 31, 1911, to take effect December 1, 1911; as amended March 28, 1913, to take effect April 1, 1913.)

Conditions of sale.

REGULATION S-12. No trees on National Forest lands, or from any unpatented claim within National Forests, shall be cut, or otherwise killed, injured, or destroyed, except under permit or where allowed by law in the development of the claim.

No trees on any unpatented claim within National Forests shall be cut under permit until the written consent of the claimant has been filed with the Forest supervisor, except in emergencies arising from insect infestation.

No live trees shall be cut under any contract until marked or otherwise designated by a Forest officer.

No timber cut under any contract shall be removed from the place selected for scaling, measuring, or counting until it has been scaled, measured, or counted and stamped by a Forest officer.

No person except a Forest officer shall stamp any timber belonging to the United States upon a National Forest with the regulation marking ax or with any instrument having a similar design.

All saw timber will be scaled by Scribner Decimal C log rule, as used by the Forest Service. (Issued October 31, 1911, to take effect December 1, 1911.)

Time limits.

REGULATION S-13. The period allowed for the removal of timber, which in no instance shall exceed five years, except in special cases, upon specific approval by the Secretary, will be fixed in the agreement; and in sales in which a period of two or more years is allowed for the removal of the timber, the minimum amount to be removed each year must be specified, except in unusual cases. The Secretary may, in his discretion, when circumstances warrant, extend the time beyond a period of five years, but such extension will be granted only to prevent hardship in cases where the failure to remove the timber within the five-year period is due to circumstances over which the purchaser had no control. (Issued October 31, 1911, to take effect December 1, 1911.)

Bonds.

REGULATION S-14. The officer approving any timber-sale contract may require the purchaser to furnish a bond for the satisfactory completion of the contract. In all sales exceeding 10,000,000 feet and in smaller sales, when necessary in the judgment of the approving officer, the successful bidder will be required to submit, before the timber is awarded to him, a statement satisfactory to the approving officer of financial ability to conduct the operation and fulfill all of the obligations to be assumed under the sale contract. Such a statement may be required, in the discretion of the approving officer, before the approval of a sale application or before any steps are taken to examine areas tentatively applied for. (Issued October 31, 1911, to take effect December 1, 1911; as amended July 16, 1912.)

Appeals.

REGULATION S-15. The disapproval of an application for the purchase of timber or for the modification of an existing contract by the officer authorized to approve such application shall be considered final, unless written notice of appeal to the next superior officer, district forester, Forester, or the Secretary, as the case may be, is filed with the officer disapproving such application within 30 days from the receipt of his decision. All appeals arising from the enforcement or execution of the provisions of a timber-sale contract shall be made in the first instance to the Forest supervisor. His decision thereon shall be considered final unless written notice of appeal to the district forester is filed with the supervisor within 15 days from the receipt of his decision. Appeals from the decisions of the district forester to the Forester or from the decisions of the Forester to the Secretary may be made by filing written notice with the officer from whose decision appeal is taken within 15 days from the receipt of such decision. (Issued October 31, 1911, to take effect December 1, 1911.)

Use of steam engines or locomotives.

REGULATION S-16. The use of steam engines or locomotives in operation on National Forest lands under any timber-sale contract or under any permit is prohibited, unless they are equipped with such spark-arresters as shall be approved by the Forest supervisor, or unless oil is used exclusively for fuel. (Issued October 31, 1911, to take effect December 1, 1911.)

TURPENTINE SALES.

REGULATION S-16a. So far as applicable the regulations governing timber sales will apply in turpentine sales except as follows: District foresters are authorized to make sales in amounts not exceeding 200,000 cups, and to delegate this authority to supervisors for specific amounts not exceeding 40,000 cups. Cupping in advance of advertisement will not be allowed. (Issued December 3, 1912.)

ADMINISTRATIVE USE OF TIMBER.

REGULATION S-17. The Forester and the district foresters within the amount which they are authorized to sell may remove and sell, or dispose of, under free-use permit or otherwise, as shall be most advantageous to the United States, any timber upon the National Forests when such removal is actually necessary

to protect the Forest from ravages or destruction, or when the use or removal of timber is necessary in the construction of roads, trails, cabins, and other improvements on the National Forests or in experiments conducted by the Forest Service. The authority conferred by this regulation may be delegated by district foresters to Forest supervisors. (Issued October 31, 1911, to take effect December 1, 1911.)

TIMBER SETTLEMENT.

REGULATION S-18. When timber on National Forest land is cut, damaged, killed, or destroyed in connection with the enjoyment of a right of way or other special use, it shall not be necessary to advertise it for sale, but payment therefor may be required at such rate or rates as may be fixed by the officer authorized under the timber-sale regulations to sell the amount of timber involved, but in no case for less than the minimum or for more than the maximum price established by the Secretary of Agriculture, unless the authority of the Secretary is secured. When, however, a right of way or other special use is granted within a National Forest in Alaska, the supervisor may, without charge, allow the cutting of timber when this is necessary for the proper enjoyment of the special use. (Issued October 31, 1911, to take effect December 1, 1911.)

PAYMENT ON BASIS OF ESTIMATE OR SCALE.

Where the timber will be killed or destroyed, or where it will not be worked into measurable form, or where the cutting is done in such a way that scaling is impracticable, settlement may be required on the basis of estimate. In all cases where the timber can be scaled, measured, or counted it will be paid for according to the scale, measure, or count, as in a timber sale, and the procedure will be identical.

A charge based on the current stumpage rates for timber of like quality and accessibility included in sales will be made for all classes of material which have to be cut or destroyed and which are commonly salable upon the forest. A charge will not be made for material which is not ordinarily salable on the forest or, as a rule, for reproduction.

PAYMENT FOR TIMBER ON CLAIMS.

When a right of way, permitted under an act of Congress, crosses an unpatented agricultural or mining claim, whether the claim antedates the right of way or not, and whether the claim is apparently held in good faith or not, if timber is cut and removed in clearing the right of way, payment will be made to the United States, except where the removal of the timber is necessary for the purpose of clearing the land in good faith for cultivation or for development, or when at the time of cutting the timber is actually needed by the claimant for use in making improvements on the land embraced in his entry or location. If any claimant should need timber for the purpose above specified and should be unable to obtain it upon his claim, he will be allowed to take timber under free-use permit from lands of the United States for this purpose up to the amount cut from the claim for which the United States has received payment.

FREE USE OF TIMBER AND STONE.

TO WHOM GRANTED.

To assist prospectors in their work and to encourage and assist settlers who have not on their own land or claims, or on lands controlled by them, a sufficient and accessible supply of timber suitable for firewood, fencing, building, mining, and other domestic purposes, the law gives the Secretary of Agriculture authority to allow the free use of timber and stone on National Forests.

REGULATION S-19. The Secretary of Agriculture will determine for each fiscal year, upon data to be furnished by the Forester, the maximum amount of timber to be cut under free use on each Forest, which amount shall form a part of the total maximum cut for the Forest. The Forester may grant free-use permits for timber not exceeding $500 in value, and may delegate this authority to subordinate officers. Permits for timber in excess of $100 in value, except in cases of unusual emergency, will be granted only for public purposes. Super-

visors, unless otherwise authorized, may not grant permits for material exceeding $100 in value. All Forest officers whom the supervisor may designate are authorized to grant free-use permits up to $20 in value. The Forester is also authorized to grant free use of stone and to delegate this authority to subordinate officers. All applications for free use of timber of value above $500 will be submitted to the Secretary of Agriculture for approval. (Issued October 31, 1911, to take effect December 1, 1911.)

REGULATION S-20. Free-use permits may be granted to bona fide settlers, miners, residents, and prospectors for minerals, who may not reasonably be required to purchase, and who have not on their own lands or claims, or on lands controlled by them, a sufficient or practically accessible supply of material suitable for the purposes named in the law. They may also be granted to school and road districts, churches, or noncommercial cooperative organizations of settlers desiring to construct roads, ditches, reservoirs, or other similar improvements for mutual or public benefit. Free use may be granted for the construction of telephone lines when necessary for the protection of the National Forests from fire. Free use may be granted to other branches of the Federal Government. Free use may be granted for consumption outside the State in which the National Forest is located. (Issued October 31, 1911, to take effect December 1, 1911; as amended March 25, 1913, to take effect April 1, 1913.)

Whether an applicant is entitled to free use must be decided by the proper Forest officer. In all cases not clearly covered by the letter of the law and the regulations he will be guided by their spirit, especially as indicated by the expression "those who may not reasonably be expected to purchase" and by the distinction between public or personal and commercial use. A member of a corporation is not necessarily debarred from free use of fuel for his own home, though his ability to secure it from another source will be considered, especially if the Forest supply is limited and in demand by more needy applicants. Residents of towns and villages engaged in business or earning a livelihood are expected to purchase timber for their town buildings and other home structures, and, except in small villages, fuel also. Settlers, particularly those under the Forest homestead act, who have not yet improved their claims may receive a liberal allowance for their own use. There is no more reason for giving a hotel keeper or merchant timber solely to build or warm his hotel or store than to give him a stock of goods, yet it need not be refused the proprietor of a small establishment when it will be used chiefly by himself and his family. Prospectors may be assisted in developing their properties, but owners of producing mines and those who are able to employ several or many men on wages will be required to pay. Well-to-do stockmen and owners of large ranches may reasonably be expected to purchase.

Free use of timber may be allowed in connection with other uses of the National Forests, regardless of the ability of the permittee to purchase, if the timber will be used in improvements of essentially public benefit, or if the stumpage value of the material used is less than the value of these improvements for protective or administrative purposes, considering both the actual use of the improvement and the increased value of the Forest through better regulation.

Cooperative associations of settlers may be granted free use of timber needed in the construction of roads, schools, and other structures of public benefit, and irrigation works or structures of any kind required for the development of unperfected claims or unimproved ranches which do not yet furnish an ample livelihood for their owners. Such associations will be required to purchase timber necessary for the construction of irrigation works and other structures any portion of which will be used commercially, as in the sale of water; and irrigation works or other structures designed to further enhance the value of improved ranches which now furnish an ample livelihood for their owners. Free-use timber may be obtained for the construction of telephone lines where necessary to protect the National Forests from fire.

REGULATION S-21. Free use of material to be used in any business will be refused, as, for example, to sawmill proprietors, owners of large establishments, or commercial enterprises, companies, and corporations. (Issued October 31, 1911, to take effect December 1, 1911.)

Free use may be refused, in the discretion of the supervisor, to permittees who repeatedly violate the provisions of their permits and interfere with the

efficiency of the free-use administration. Free use may reasonably be refused where the final cost to the permittees is as great as if the material were purchased, whether or not agents are employed to obtain the material. Free use of timber from alleged invalid claims may be granted for fuel when pending the final determination of title to the claims.

AMOUNT OF MATERIAL GRANTED IN ONE YEAR.

REGULATION S-22. The aggregate amount of material granted under permit in one year will not exceed $20 in value except in cases of great and unusual need, or in the case of dead timber where the supply is ample and the removal of the restriction as to amount may be advisable for administrative reasons, or in the case of school and road districts, churches, and noncommercial cooperative organizations of settlers, when the supervisor may, in his discretion, extend the amount to any value not exceeding $100, or the value named in his authorization from the district forester. If the permittee fails to remove timber within the time allowed, the Forest officer may grant the timber to another applicant. The time allowed in permits may be extended by the officer issuing them. (Issued October 31, 1911, to take effect December 1, 1911; as amended March 28, 1913, to take effect April 1, 1913.)

KIND OF MATERIAL TAKEN.

REGULATION S-23. Green saw timber will not be granted to any applicant who does not do his own logging, unless he is physically incapacitated. Exceptions, however, may be made in unusual cases in the judgment of the supervisor. All free-use material may be sawed and all except green timber may be cut for the permittees by an agent, but the work so done must not be paid for by a share of the material. On Forests where a limited supply or other conditions justify it, the free use of green timber of any class or of dead saw timber may be refused. (Issued October 31, 1911, to take effect December 1, 1911; as amended March 28, 1913, to take effect April 1, 1913.)

The free-use privilege will be restricted as far as possible to diseased, defective, dying, and dead and down timber. Green timber, however, may be obtained except as provided for in the regulation or in the supervisor's instructions, when it is necessary for the particular needs of the applicant.

The duration of permits, which will not exceed the time necessary to remove the material, will be fixed by the issuing officer, but all permits must terminate on or before June 30 of each year.

FREE USE WITHOUT PERMIT.

REGULATION S-24. Necessary cutting of timber in surveying for lawful projects may be done without permit. Unnecessary cutting is prohibited. The small quantities of material actually needed by transients may be taken without a written permit.

Supervisors may, with the approval of the district foresters, designate and post each fiscal year as temporary free-use areas portions of any National Forest containing dead timber, and during the fiscal year designated, bona fide settlers, miners, residents, and prospectors for minerals may cut and remove from within the limits of such areas, free of charge and without permit, under such rules as may be prescribed by Forest officers, any dead timber in quantities which they may need for their own use for firewood, fencing, buildings, mining, prospecting, and other domestic purposes, but no timber may be taken under this regulation for sale to other persons or for commercial use. (Issued October 31, 1911, to take effect December 1, 1911; as amended March 28, 1913, to take effect April 1, 1913.)

The small amount of material actually needed by transients may be taken, and necessary cutting of timber in surveying for lawful projects may be done without a permit. No unnecessary cutting is permitted. Permits are not required for dead timber from areas designated and posted by Forest officers in accordance with the provision of Regulation S-24. In all other cases permits are required.

FREE USE WITHOUT MEASUREMENT.

REGULATION S-25. The district foresters may authorize supervisors to permit, on any Forest or part of a Forest, the removal of specific classes of material

without scaling or measurement by a Forest officer. Material may be cut in advance of obtaining a permit in cases of emergency or of great and immediate need. In every instance where a permit has not been obtained in advance under this regulation the person taking material shall promptly thereafter notify the Forest officer in charge of the district from which it is taken, of the date of removal, and of the amount, value, and class of material so taken. Upon receipt of such notification the Forest officer will issue the necessary permit. (Issued October 31, 1911, to take effect December 1, 1911; as amended March 28, 1913, to take effect April 1, 1913.)

EMERGENCY USE.

Material may be taken in advance of securing a permit in cases of emergency or great immediate need, but the amount taken with its location and time of removal, must be reported at once to the nearest Forest officer, who will issue a permit authorizing the cutting.

SALE OF MATERIAL PROHIBITED.

REGULATION S-26. Timber or other Forest products received under a free-use permit shall not be sold. (Issued October 31, 1911, to take effect December 1, 1911.)

VALUATION OF MATERIAL.

The appraisement of free-use material will not be less than for sales in the same locality on the Forest from which the material is to be taken.

MARKING FREE-USE MATERIAL.

Forest officers designate the timber to be cut in the simplest and most economical way practicable. Living timber is marked in accordance with the principles outlined under timber sales. In the case of dead timber the area may be blazed, or defined by natural boundaries, and the class of trees to be taken specified.

SPECIAL CONDITIONS FOR ALASKA.

REGULATION S-27. Settlers, farmers, prospectors, fishermen, or similar persons residing within or adjacent to National Forests in Alaska, may take, without permit and free of charge, green or dry timber from the Forests, and driftwood, afloat or on the beaches, for their own personal use, but not for sale; provided, that the amount of material so taken shall not in any one year exceed 20,000 feet board measure, or 25 cords of wood; and provided further, that the persons enjoying this privilege will on demand, forward to the supervisor a statement of the quantity of material so taken and a description of the location from which it was removed. (Issued October 31, 1911; to take effect December 1, 1911.)

PART III—GRAZING.

OBJECTS OF THE GRAZING REGULATIONS.

The leading objects of the grazing regulations are:

The protection and conservative use of all National Forest land adapted for grazing.

The permanent good of the live-stock industry through proper care and improvement of the grazing lands.

The protection of the settler and home builder against unfair competition in the use of the range.

ANNUAL GRAZING AUTHORIZATIONS.

REGULATION G–1. The Secretary of Agriculture will prescribe each year the number of stock to be allowed in each National Forest, and will authorize the approval of applications for permits during periods of one or more years, but revocable at any time within his discretion. The yearlong grazing fee to be charged for each class of stock will be determined by the Forester in accordance with Regulation G–9. Seasons less than yearlong will be established by the district forester, who will determine the fees to be charged for each short season in accordance with the established schedule and the provisions of Regulation G–9.

When notified of the establishment of grazing allowances and yearlong rates for any National Forest, the district forester will establish and fix the rates for all grazing periods less than yearlong and will transmit instructions to the supervisor, who will issue grazing permits in accordance therewith. Fifteen days may be added to the grazing period, in the discretion of the supervisor, without charge. (Issued April 25, 1913, to take effect May 1, 1913.)

LONG TERM AUTHORIZATION.

On Forests where all controversies have been settled and no material changes are likely to be made in ranges, grazing areas, or the number of stock allowed, the Secretary, upon petition by 25 per cent or more of the permittees using the National Forests, or upon the recommendations of a recognized advisory board representing that percentage of permittees, approved by the forest supervisor and the district forester, will authorize the acceptance of applications for periods of not more than five years. A term of five years having been established, applications received after the first year will be approved for the unexpired portion of the five-year term, four, three, or two years, as the case may be. The permit will be issued annually, and the approval of the application for any part of the established term will only guarantee a renewal of permit from year to year during the period, in the event that grazing is authorized by the Secretary of Agriculture and there is no cancellation of the permit by the district forester.

FIXING GRAZING PERIODS.

Grazing periods will be established for each National Forest to meet the general needs of the people and to secure an economical use of the forage. So far as possible without injury to the Forest, grazing is allowed at the times when each range can be used to best advantage by the local stock industry. It is inadvisable to hold stock on winter range or in feed lots after the range within a Forest is ready for use, but it is decidedly unwise to allow stock on Forest ranges before the feed has started or while the range is so wet that the stock will cause injury to forage and tree growth. The condition of the range rather than the desires of the applicants must determine the period.

MONTHLY PERMITS.

Where conditions warrant monthly permits will be authorized, but only for winter grazing. Despite the fact that they may be more convenient for the permittees, the general issuance of permits on a monthly basis is inadvisable. Its result would be a disregard of the periods of use to which the ranges are naturally adapted, with consequent incomplete utilization, alternate understocking and overstocking, loss of range capacity, and loss of control.

USE OF WINTER RANGES.

Ranges will not be allotted for use during the summer to the prejudice of settlers needing them for winter use.

GRAZING DISTRICTS AND DIVISIONS.

REGULATION G-2. The grazing of sheep and goats upon any portion of a Forest must not be allowed until authorized by the Forester. This authorization secured, the kind of stock to be grazed in each district open to grazing on the Forests will be determined by the district forester. Under his general instructions National Forests, in which grazing is allowed, will be divided into districts by the supervisor, who will provide for the distribution of stock among the districts and make such range divisions among applicants for grazing permits as appear most equitable and for the best interests of the National Forest and its users.

When required for the protection of camping places, lakes and streams, roads and trails, etc., or of areas which are to be reforested, the supervisor may exclude stock from specified areas for such period of time as is necessary. Stock will be excluded from areas where they will destroy young growth or will prevent reproduction. (Issued April 25, 1913, to take effect May 1, 1913.)

BEST USE OF EACH CLASS OF RANGE.

The ranges within the National Forests should be used by the kind of stock for which they are best adapted, except when this would not be consistent with the welfare of the local residents or the proper protection of the Forests. When an application is received for a kind of stock not previously allowed to graze upon a range the supervisor will determine, first, whether the change can be made without injury to the Forest or the flow of streams; second, to which class of stock the range is best adapted; and, third, whether the change will be detrimental to the interests of the people residing in the vicinity of the range. The change will be made by the district forester only when all three conditions are favorable and the Forester has authorized the use of the area by the kind of stock involved.

ESTABLISHMENT OF DRIVEWAYS.

Whenever it is necessary for stock to cross regularly any portion of a National Forest, and grazing upon the area of the kind of stock involved has been authorized by the Forester, the district forester will, if the circumstances warrant, establish a driveway and define the rights to be granted.

Permits will be required for stock crossing the Forest on a regular driveway. If occasion demands, rangers may be detailed to accompany the stock and see that there is no delay or trespassing.

EXCLUSION OF STOCK.

FOREST PROTECTION.

It is within the authority of the supervisor to close an area to all grazing, to reduce the number of stock allowed upon it, or to prohibit its use by certain classes of stock when the silvicultural needs of the Forest demand it. For instance, sheep may be excluded from a timber-sale area for a certain number of years after cutting; or, in a year of scarcity of mast, hogs may be excluded from the oak type. Where planting operations are being carried on it will usually be necessary to exclude all classes of stock.

WATERSHED PROTECTION.

The watersheds of streams supplying water for irrigation, municipal, or domestic purposes may be closed to the grazing of any or all kinds of domestic stock when necessary to prevent erosion and floods or diminution in water supply.

PUBLIC CAMPING GROUNDS.

The needs of the traveling public receive careful consideration, and in the division of the range adequate provision will be made for the pasturage of draft, saddle, and pack animals used by persons traveling through the National Forests on business or for recreation. Camping grounds required for the accommodation of the public may be closed to the grazing of permitted stock if such action is necessary.

GAME REFUGES.

Limited areas which are the natural breeding or feeding grounds of game animals or birds may be closed to the grazing of domestic live stock when necessary to protect the game from molestation or extinction. The boundaries of such areas will be plainly marked, and permittees using adjoining ranges are warned against trespassing on the closed area.

ADVISORY BOARDS.

REGULATION G-3. Whenever any live-stock association whose membership includes a majority of the owners of any class of live stock using a National Forest or portion thereof shall select a committee, an agreement on the part of which shall be binding upon the association, such committee, upon application to the district forester, may be recognized as an advisory board for the association, and shall then be entitled to receive notice of proposed action and have an opportunity to be heard by the local Forest officer in reference to increase or decrease in the number of stock to be allowed for any year, the division of the range between the different classes of stock of their owners, or the adoption of special rules to meet local conditions.

Upon request from and with the approval of an officially recognized advisory board representing a majority of the permittees to be affected, the district forester may establish special rules to regulate the use and occupancy of the range and to prevent damage to the Forest lands, such rules to be binding upon and observed by all permittees grazing stock within the range involved. Such conditions as may be necessary may be imposed upon the handling of permitted stock, the employment of herders to confine the stock to the allotted ranges, the distribution of salt, the enforcement of State live-stock laws, and the construction of permanent improvements to protect the Forest or facilitate the handling of permitted stock.

When an association represents only a minority of the owners of any kind of live stock but its members own 75 per cent of that kind of live stock using the range, upon petition of a sufficient number of the other owners to constitute a majority, its advisory board may be recognized by the district forester.

Whenever a State live-stock association appoints an advisory board it may be recognized by the district forester and consulted with in regard to matters which affect the general administration of the National Forests within the entire State.

Whenever a national live-stock association, representing the owners of any kind of stock, appoints an advisory board or committee representing the users of the National Forests in all of the different States it will be recognized by the Secretary of Agriculture and the Forester, and consulted with annually regarding matters which concern the welfare of the stockmen using the National Forest ranges. (Issued April 25, 1913, to take effect May 1, 1913.)

REASONS FOR COOPERATION.

The primary purpose of all the regulations is to make the National Forests as useful as possible to the people, consistent with their protection and perpetuation. It is clearly impossible to meet the wishes of each individual user, but it may be entirely possible to meet the wishes of the majority, if made known through an organization. It is to secure from the people collectively

definite statements of their needs and wishes that the organization of stock associations is encouraged.

RECOMMENDATIONS OF ADVISORY BOARDS.

Matters submitted by advisory boards should be of general rather than individual or personal interest. It is not within the province of an advisory board to determine whether a new applicant shall be admitted or a renewal of permit granted a purchaser. An individual case, however, may contain a principle in which a large number of permittees are interested, in which event it may properly be taken up.

SPECIAL RULES FOR HANDLING STOCK.

Special rules designed to bring about economies of operation, larger natural increases, improved grades of live stock, etc., are not to be drafted or enforced except upon specific request of the majority of the permittees who will be affected.

No rule will be established that is not designed to accomplish some specific result generally beneficial to the majority of the permittees or that is not clearly within the limitations of the State or Federal statutes concerning live stock.

Rules approved by the district forester will be binding upon all permittees, whether members of the association or not.

REQUIREMENTS FOR RECOGNITION.

Live-stock associations desiring to take advantage of Regulation G–3 must file an application with the supervisor, giving the names of all members, the name of the Forest in which its members are interested, and the names of the committeemen who are to act for the association. The advisory board must consist of not more than five members, who must be users of the National Forest, and a majority of the board must constitute a quorum.

The application must be accompanied by a copy of the constitution and by-laws and a statement that the action of the board will be binding upon the association. These by-laws must provide that all persons who are permitted to graze the kind of stock represented by the association will be eligible to membership. The application of a minority association must also be accompanied by a petition signed by sufficient permittees to constitute a majority.

PERMANENT IMPROVEMENTS UPON RANGE.

REGULATION G–4. Live-stock associations which have received official recognition from the Forest Service may be granted permits to construct, upon the ranges occupied by their members, corrals, drift and division fences, roads, trails, sources of water supply, and other forms of permanent improvement designed to protect the Forest lands or to facilitate the handling of permitted stock. In cases where the total cost of construction is met by the association, no part being contributed by the Government, the district forester may, in his discretion, stipulate and agree in the permit that during a period of 10 years following the construction of an improvement all permittees who are allowed to place stock upon the range controlled or benefited by the improvement will be required to pay into the treasury of the association an amount equal to their pro rata share of the cost of constructing the improvement, provided that the improvement has been and is being maintained in serviceable condition by the association. The initial pro rata charge will be determined by dividing the amount expended by the full number of stock which may be grazed upon the range controlled or directly benefited by the improvement, but a reduction of 10 per cent of the original amount, to cover benefit and depreciation, will be made during each of the nine succeeding years, and after the tenth year the improvement will become the property of the Government. Stock which is exempted from permit by the regulations will not be subject to assessment under this rule. (Issued April 25, 1913, to take effect May 1,

NECESSARY CHARACTER.

Before approving a special-use permit, which provides for the payment of a pro rata share of the cost of construction by each permittee, the district for-

ester will assure himself that the proposed improvement is actually necessary for the proper management of the stock, will be generally beneficial to the majority of the permittees, and will be substantially and economically constructed.

DETERMINATION OF INITIAL PRO RATA CHARGE.

Upon the completion of the improvement the association will submit an itemized statement of the costs of construction, which will be checked and verified by the supervisor, who will withhold his approval from any expenditure which appears to be extravagant or unnecessary.

The number of stock, exclusive of those exempt from permit, which may be grazed upon the area described in the special-use agreement will be determined by the supervisor.

The approved total cost of construction will be divided by the total number of permitted stock to be grazed upon the range, which will give the proportionate cost per head of stock. This will be the initial pro rata charge. A reduction of one-tenth of the initial charge will be made during each of the nine succeeding years, and after the tenth year the improvement will become the property of the Government.

PRO RATA CHARGE UPON ADDITIONAL STOCK UNDER PERMIT.

Permittees who are allowed to increase the number of stock under permit will be required to pay the prevailing pro rata charge upon all additional stock placed upon the range unless the stock are purchased from a permittee who has paid the pro rata charge and has signed an agreement waiving all claims to preference in the use of the range.

PRO RATA CHARGE PAID BY NEW OWNERS.

When Class A owners are provided for by the reduction of permits of old users on areas which are fully occupied, the amount received for the pro rata charge of the new users may be used by the association, either for maintenance of the improvements or for a proportionate refund to the permittees who have been reduced.

TO WHOM PRO RATA CHARGE SHOULD BE PAID.

Forest officers must not receive payments to cover the cost of permanent improvements, maintain the permanent improvement accounts of an association, or assume official responsibility for the costs of constructing or maintaining an improvement. These are the functions of the association to which the special-use agreement has been issued.

RANGE IMPROVEMENT UNDER SPECIAL-USE PERMITS.

Drift fences, corrals, and stock tanks may be constructed, and pastures inclosed, on National Forest ranges under special-use permits, the details in regard to which are given on pages 69 and 70.

PERMIT NECESSARY TO GRAZE STOCK.

REGULATION G–5. All persons must secure permits before grazing any stock in a National Forest, except for the few head in actual use by prospectors, campers, and travelers, or saddle, pack, and work animals actually used in connection with permitted operations on the National Forests, and milch or work animals not exceeding a total of 10 head owned and in use by bona fide settlers residing in or near a National Forest, which requires no permit. (Issued April 25, 1913, to take effect May 1, 1913.)

STOCK EXEMPT FROM PERMIT.

No stock may be grazed without a permit, except milch or work animals which are in actual use. A settler owning only 10 head or less of stock which are neither milch nor work animals will be required to apply for permit and pay the grazing fees, while a settler owning any number of stock will be allowed to graze 10 head of milch or work animals without permit and free of charge.

A saddle horse not in use and turned out to graze during any entire established season should be covered by permit. In cases where transportation companies are grazing large numbers of horses which are used in transporting travelers within National Forests, the stock must be covered by permit.

SPECIAL CONCESSIONS TO INDIANS.

Special concessions may be made by the Secretary of Agriculture to Indians who are enrolled upon the records of the Office of Indian Affairs and who are dependent upon the National Forest ranges for the pasturage of their stock. Such concessions will not apply to intermarried white persons, except those who have been formally adopted by the tribe and enrolled upon the records of the Indian Office.

ON-AND-OFF PERMITS.

REGULATION G-6. Persons owning stock which regularly graze on ranges only partially included within a National Forest, or upon range which includes private land of unknown ownership, may be granted permits for such portions of their stock as the circumstances appear to justify, but may be required so to herd or handle their stock as to prevent trespassing by that portion for which a permit is not granted. (Issued April 25, 1913, to take effect May 1, 1913.)

This regulation is designed solely to provide for cases where only a part of a natural range unit is National Forest land, and where the economical use of the entire unit can be secured only by the utilization of the Forest land in connection with the other land. The regulation contemplates a movement of the stock, governed by natural conditions, between the Forest range and the adjoining outside range, or between Forest land and intermingled private land, and the payment of grazing fees upon that portion of the stock which it is estimated will be grazed upon the Forest. Only under such conditions will an on-and-off permit be granted.

CONTINUOUS OCCUPANCY DURING SHORT PERIODS.

Where the use of the Forest land is confined to one continuous period during a part of an established grazing season, the issuance of an on-and-off permit covering a part of the stock would be equivalent to the establishment of a short grazing period by the supervisor, often at a rate below the minimum prescribed by the regulations, and therefore is not allowed. Where occupancy of Forest lands is continuous and not intermittent, the district forester, if he considers such action advisable, will establish short grazing periods, payment to be required for the full number of stock grazed upon Forest land.

ON-AND-OFF PRIVATE LANDS.

Sometimes the ownership of private land within a National Forest is unknown, or the owner does not object to its use without compensation or lease. Frequently a permittee owns or leases private lands comprising more than 50 per cent of his range allotment. In such cases permits may be issued for the adjoining range under the provisions of Regulation G-6, and the grazing fees paid only on the stock which will be grazed upon National Forest land, but the permittees must agree to remove all stock in excess of the number covered by the grazing permit, if deprived of the use of the private lands by the owners or lessees thereof.

PRIVATE GRAZING LANDS WITHIN NATIONAL FORESTS.

REGULATION G-7. Persons who own, or who have leased from the owners, unfenced lands within any National Forest, which are so situated and of such character that they may be used by other permitted stock to an extent rendering the exchange advantageous to the Government, may secure permits allowing them to graze upon National Forest land, free of charge, the number of stock which the private lands will support, by waiving the right to the exclusive use of the private land and allowing it to remain open to other stock grazed on National Forest land under permit.

The application must be accompanied by a personal certificate of title showing the description and ownership of the land, and, if leased from an owner, a

copy of the lease, and must state the number and kind of stock permit is desired for, the range which it is desired to occupy, and the period during which the stock will remain upon the Forest. Permits will be subject to the same restrictions regarding the use of the range as permits issued under other regulations. (Issued April 25, 1913, to take effect May 1, 1913.)

The privilege of grazing sheep and goats upon National Forest lands, under Regulation G–7, will be allowed only upon such ranges as are open to this kind of stock.

Where more than one-half of the land comprising the range allotment is controlled by the applicant, ordinarily an on-and-off permit may be issued. The waiver of exclusive use of unfenced private land is not required unless the interests of the Government especially demand it.

ALLOWANCES FOR PRIVATE LANDS.

The following rules will govern grazing allowances on account of private land within National Forests the exclusive use of which has been waived.

Bona fide settlers who have made homestead entry, but have not yet made final proof, may be allowed free permits for grazing upon National Forest lands the number of animals their land will support.

Persons who have filed upon land within the National Forests under laws not requiring residence may be allowed free permits for grazing upon National Forests the number of stock their lands will support, after they have made final payment for the land.

Owners or lessees of Indian allotments may be allowed permits for grazing upon National Forests the number of animals the land will support, provided that patent has issued or a lease has been executed upon the blanks of the Indian Office and approved by the Commissioner of Indian Affairs.

Persons holding unpatented mining claims within a National Forest have the right to the grass or other forage upon such claim needed for stock used in connection with the development of the claims, but they have no right to dispose of the forage to any other person or to collect rental for the use of the claims for grazing purposes. Such unperfected mining claims, therefore, can not be accepted as the basis for a permit under Regulation G–7.

Bona fide squatters upon unsurveyed lands may be allowed permits for grazing the number of animals their claims will support, provided no claim exceeds 160 acres.

Persons who have applied to purchase or who have leased any lands covered by State selections will be allowed free grazing privileges on account of these lands.

Persons who have applied to purchase or who have leased railroad land within the indemnity limits will be allowed free grazing privileges on account of such land after survey and selection by the railroad company and approval by the Secretary of the Interior.

The use of unsurveyed unselected lands within both the primary and indemnity limits of railroad grants will be allowed in accordance with the grazing regulations under regular paid permits.

CROSSING PERMITS.

REGULATION G–8. Persons wishing to drive stock across any portion of a National Forest to reach either public or private lands, except when the stock will be driven along a public highway or will not be grazed upon National Forest lands, must make application to the supervisor or other Forest officer for a permit to graze the stock en route, and must have a permit from the supervisor or such other Forest officer as he may designate, before entering the National Forest. The application must state the number of stock to be driven, the date of starting, and period required for passage. Grazing must be confined to the limits and along the route designated by the Forest officers, and will only be allowed for the period necessary for stock to cross the National Forest. (Issued April 25, 1913, to take effect May 1, 1913.)

The regular grazing permit carries with it the privilege of driving the permitted stock over the National Forest lands to and from the allotted ranges at the beginning and end of the grazing season and from the range to the most accessible shearing, dipping, and shipping points during the term of the permit.

CONDITIONS UNDER WHICH GRANTED.

Crossing permits may be granted to points beyond the National Forest, to private lands within a National Forest, or to reach dipping vats or railroad shipping points.

Crossing permits will not be issued prior to the opening of the grazing season except upon an established driveway. They will not be issued for stock which is so poor that it will not be able to cross the Forest, nor for stock to be driven to private land within the Forest if the land is unfenced and the number of stock is greater than it will support without trespass upon adjoining Forest lands.

QUARANTINE REGULATIONS.

It is absolutely essential that persons crossing stock comply with the regulations governing the National Forests and with the quarantine regulations prescribed by the Secretary of Agriculture and the State authorities. The condition of stock as to contagious or infectious diseases will be determined by the proper Federal or State authorities. Compliance being assured, and if the privilege will not expose the National Forest to damage or the regular permittees using it to inconvenience or financial loss, the permit will be issued without delay and with the fewest possible restrictions.

APPLICATIONS FOR CROSSING PERMITS.

Applications for crossing permits may be made either in person or by letter and the permits issued to either the owner or person in charge of the stock.

GRAZING FEES.

REGULATION G-9. A reasonable fee will be charged for grazing all kinds of stock on National Forests, except as otherwise provided in these Regulations. The rates will be based upon the yearlong rate for cattle, which will be from 35 to 60 cents per head, depending upon the advantages and the locality of the Forest.

The yearlong rates for horses will be from 25 to 40 per cent more and the yearlong rates for swine from 25 to 40 per cent less than the rate for cattle. On Forests where the quality of range and advantages for grazing cattle and sheep or goats are equal, the yearlong rate for sheep and goats will be 30 per cent of the yearlong rate for cattle, but where the above-mentioned conditions warrant it, this percentage may be departed from and the yearlong rates for sheep and goats fixed within the following limits: From 10 to 12 cents on Forests where the rate for cattle is 35 cents; from 12 to 14 cents on Forests where the rate for cattle is 40 cents; from 12 to 15 cents on Forests where the rate for cattle is 45 cents; from 14 to 16 cents on Forests where the rate for cattle is 50 cents; from 15 to 18 cents on Forests where the rate for cattle is 60 cents.

The rates for all kinds of stock for periods shorter than yearlong will be based upon a charge of one-ninth of the annual rate per month for periods of less than four months, or periods beginning between July 15 and October 15, or of one-tenth of the annual rate per month for periods of four months or over beginning between October 16 and July 14, provided that the rates on sheep, goats, and swine shall not be divided into fractional amounts of less than one-fourth of 1 cent, and the rates on cattle and horses shall not be divided into fractional amounts of less than 1 cent; and provided that the minimum rate for any short period shall not be less than 20 cents per head on cattle, 25 cents per head on horses, 12 cents per head on swine, or 5 cents per head on sheep or goats. An extra charge of 2 cents per head will be made for sheep or goats which are allowed to enter the National Forests for the purpose of lambing or kidding. No charge will be made for animals under 6 months of age at the time of entering the Forest which are the natural increase of stock upon which fees are paid or for those born during the season for which the permit is allowed. (Issued April 25, 1913, to take effect May 1, 1913.)

WHEN ANIMALS UNDER 6 MONTHS ARE SUBJECT TO CHARGE.

The full grazing fee will be charged on all animals under 6 months of age which are not the natural increase of stock upon which the fees are paid.

NO REDUCTION BECAUSE OF PARTIAL USE.

No reduction in grazing fee will be made when the stock do not graze upon the National Forest during the entire period allowed, nor will an increased number of stock be allowed to enter the Forest for this reason.

ADDITIONAL TIME ALLOWANCE.

The supervisor may allow stock to enter not more than 15 days in advance of the date fixed for the beginning of a grazing period, or allow them to remain 15 days after the expiration, without additional charge, when the needs of the people demand such action and the condition of the range warrants.

EXTENSION OF PERMITS.

If suitable range is available within the National Forest grazing permits for short periods may be extended and made effective for any of the longer periods established for the Forest upon payment of the difference between the rates established for the two periods. The fee representing the difference between the two rates must be paid not only upon stock covered by the original permit which are to be grazed during the extended period, but also upon all additional animals which have reached the age of 6 months during the original permit period.

GRAZING FEES PAYABLE IN ADVANCE.

REGULATION G–10. All grazing fees are payable in advance. When an applicant for a grazing permit is notified by the supervisor that his application has been approved, he will remit the amount due for grazing fees to the District United States Depository, and upon receipt of notice by the supervisor that payment has been made, a permit will be issued allowing the stock to enter the Forest and remain during the period specified.

Persons who fail to pay the grazing fee before the beginning of the grazing period must notify the supervisor and give satisfactory reasons, or within the discretion of the supervisor may be denied a grazing permit the following season. (Issued April 25, 1913, to take effect May 1, 1913.)

The approval of an application to graze stock on Forest land does not authorize the grazing of the stock. Persons who place stock upon a National Forest before they have paid the grazing fees due and secured a permit are guilty of grazing trespass, thereby becoming subject to a demand for damages, or, in aggravated cases, to civil or criminal action.

REFUNDS.

REGULATION G–11. Grazing fees will not be refunded for nonuse of the permit, except when, in the opinion of the district forester, the applicant is prevented from using the range by circumstances over which he has no control, or his range is trespassed upon, or renewal of permit is allowed to a purchaser of the stock. (Issued April 25, 1913, to take effect May 1, 1913.)

Excess payments.

Whenever payment in excess of the amount due is made, the amount overpaid will be refunded. Applications for the refund of moneys in excess of the amount due must be accompanied by a copy of the grazing permit issued, showing the amount received and the number of stock and grazing period covered by the permit.

Grounds for refund.

Applications for the refund of money paid on account of a grazing permit must be accompanied by a statement giving the reasons for not using the permit. This may be either the written statement of the permittees or a report by a Forest officer who has looked up the case.

Refunds will be made to a person who applies for a permit and does not use it only when the nonuse is caused by some circumstance over which he has

no control. Unusual climatic conditions, floods, high water in streams, heavy snow, etc., or infectious disease causing quarantine by Federal or State authority, loss of stock caused by poison, disease, railroad wrecks, or in some unusual manner are valid reasons for refund. In all cases of unusual loss where it is either impracticable or impossible for the applicant to secure other stock a refund may be made, but if the stock can be replaced this will be required.

Loss of range through trespass or error.

An equitable portion of the grazing fees may be refunded when a permittee is prevented from enjoying the full use of his range by reason of trespassing stock entering upon it or on account of an error by a Forest officer.

Sale of stock.

Refunds will be made on account of stock having been sold only when the preference in renewal of the permit is waived by the original owner to the Government and the purchaser is allowed a permit. In such a case the fees on the number of stock repermitted may be refunded to the original permittee on his request.

The amount which will be refunded will not exceed the amount of the fees due on the permit issued to the purchaser. The difference, if any, between the amount paid on the original permit and the amount due on the new permit will not be refunded. A permittee who sells his stock under conditions which justify a full renewal of the permit to the purchaser, and signs a waiver to its renewal to himself, is entitled to a refund of the full amount paid. If the conditions justify a renewal for only 80 per cent of the number of stock covered by the original permit, then 80 per cent of the original payment will be refunded.

Failure to purchase stock.

Persons who make application to graze stock which they do not own but intend to purchase will not be entitled to a refund because they fail to secure the stock or change their plans. They may, however, place stock upon the range at any time during the period allowed by the permit.

APPORTIONMENT OF GRAZING PRIVILEGES.

NOTICE TO APPLICANTS.

REGULATION G-12. When notice of the grazing allowance, periods, and rates for each year has been received by the supervisor, he will give public notice of a date on or before which all applications for grazing must be presented to him. Permits may be refused to persons who do not file their applications within the required time, unless satisfactory reasons are given. (Issued April 25, 1913, to take effect May 1, 1913.)

NOTIFICATION OF PERMITTEES.

All persons who held permits during the previous year will be notified by postal card or circular letter of the date upon which applications for grazing permits must be filed with the supervisor.

FINAL DATE FOR RECEIPT OF APPLICATIONS.

Applications must be received, range allotments made, and permits issued before the beginning of the grazing season. This necessitates fixing a date sufficiently far in advance to enable the supervisor to complete the work of issuing the permits. The date having been widely published, it will be assumed that the applications on file on that day represent all the users of the Forest range entitled to consideration, and the supervisor will then proceed to allot the grazing privileges.

Supervisors acknowledge the receipts of applications by postal card.

APPLICATION FOR PERMITS.

REGULATION G-13. Applications for grazing permits must be submitted on blank forms which will be furnished by the supervisor, and the information necessary to complete the application must be furnished in detail. The num-

ber of stock must not be greater than the number the applicant actually owns or intends to purchase or less than the number he intends to graze upon the Forest. Speculation in the use of grazing permits will not be allowed, and permits will be refused or canceled for intentional false statement of the number of stock owned.

For all purposes of permanent allotment each member or stockholder of a firm or corporation will be considered as holding a permit to graze the full number of stock covered by any and all grazing permits issued to such firm or corporation. The individual permit of a person who acquires an interest in the permit of any firm or corporation will be subject to reduction in its renewal when the combined number of stock covered by all permits in which the person is interested exceeds the maximum limit. (Issued April 25, 1913, to take effect May 1, 1913.)

Should be complete.

It is required that every question contained in Forms 298 and 879 shall be answered by the applicant, either affirmatively or negatively, because the information serves as the basis for the apportionment of grazing privileges and constitutes the record maintained by the Forest Service.

Certified statement.

When necessary, an applicant may be required to furnish a certified statement showing the name, residence, and interest of any other person in the stock covered by his application. The district forester may require firms or corporations to furnish a certified statement of the name and residence of all members and stockholders.

Partnerships or corporations.

If the supervisor has reason to believe that a new applicant, or one seeking the renewal of a permit on account of purchase, already holds an interest in a company grazing stock under permit, he may require this information, or may require it if there is a question of preference between two companies or corporations.

Sworn statement.

A sworn statement of the essential facts may be required of applicants by a forest supervisor.

False statements or suppression of material facts.

If at any time between the first allotment of a grazing privilege and the final closure of the case through the acceptance by the forest supervisor of a waiver of grazing privileges it is discovered that the original allotment of the privilege or its subsequent renewal was secured by willful misrepresentation or the suppression of material facts, the permit shall be revoked and the grazing privilege declared forfeited upon the termination of the current grazing period, even though the permitted stock have in the meantime been transferred to a purchaser.

Knowledge of fraud or defect in permit by purchaser.

When a purchaser of permitted stock who has applied for a renewal of grazing permit has no direct or indirect knowledge of fraud or fatal defect in the base permit, a clear official record in the case of the original permittee at the time the waiver is accepted will be construed in favor of the purchaser of the stock, and if the new owner has exercised such care and diligence as might be expected of a reasonably prudent man in ascertaining the bona fides of the base permit, any latent defect which may subsequently develop will not be held as invalidating the permit, but will be set aside and the continued enjoyment of the privilege allowed.

Unintentional misstatement or misrepresentation.

Unintentional violation of the regulations or terms of the application and permit in the acquirement or renewal of the privilege will not be construed as fatal to the continued enjoyment of the permit by the original permittee or to the renewal of the privilege to a purchaser otherwise qualified, but the burden of proof as to good intent will rest upon the person committing the breach of regulations or terms of the application and permit, and such person must satisfy the supervisor that the wrongful conduct was entirely unintentional before he will be relieved of responsibility.

Error on part of Forest officer.

The Forest Service will not cancel or reduce a permit because of a mistake made by a Forest officer, if the permittee has furnished the required information and has not contributed to the original error.

Statement of ownership.

The new applicant is classified according to the total number of stock he owns; therefore it is necessary that he shall state in his application the total number of stock owned by him. Unless permit for an increased number of stock is applied for, an established permittee whose classification is fixed need only assert ownership of the number of stock for which permit is desired.

Applications for long-term permits.

When authorized by the Secretary of Agriculture applications may be approved for permits during a term of not more than 5 years. A term of 5 years having been established, applications received subsequent to the initial year will be approved for the unexpired portion of the term—4, 3, or 2 years, as the case may be—so that all term applications will expire simultaneously. The permits will be issued and the grazing fees paid annually on the number of stock for which the application is approved.

Applications for term permits will be canceled for failure to pay the grazing fees for any one year or for failure to use the range for more than one year, unless unusual circumstances exist.

Method of approving applications.

The supervisor will immediately notify the applicant of the approval of his application by a letter of transmittal showing the number of stock for which the application has been approved, the period, and the fees to be paid.

Method of disapproving applications.

When a grazing application is disapproved the supervisor will notify the applicant by letter, giving the reasons for his action, and will send a copy to the district forester.

QUALIFICATIONS OF APPLICANTS.

REGULATION G-14. Grazing permits will be issued only to persons entitled to share in the use of the range within National Forests by virtue of prior use and occupancy of National Forest lands for grazing purposes; or by local residence, ownership of improved ranch property within or near the Forest, and dependence upon the range; or by the acquisition of stock grazed upon National Forest lands under permit and of improved ranch property used in connection with the stock under circumstances which warrant an entire or partial renewal of the permit issued to the former owner, except when there is surplus range, in which case temporary permits may be issued to owners of transient stock or to regular permittees for an increased number of stock.

Nonuse of a range during one year, except as authorized by the instructions of the Forester, will be sufficient grounds for the denial of grazing privileges. (Issued April 25, 1913, to take effect May 1, 1913.)

Those by whom grazing permits may be obtained.

Grazing permits may be secured by:

(*a*) One who has previously used and occupied lands included within a National Forest.

(*b*) Local residents owning improved ranch property and depending upon the range for a livelihood. (See instructions under "Permits to new owners," p. 54.)

(*c*) A member of a copartnership or corporation which formerly held a permit—for the number of stock equal to his share in the original permit. (See instructions under "Renewal of permits," p. 50.)

(*d*) The purchaser of a permittee's stock or ranches, or both, under circumstances justifying a renewal. (See instructions under "Renewal of permits," p. 50.)

(*e*) The inheritor of a permittee's stock or ranches, or both, under circumstances justifying a renewal of the permit. (See instructions under "Preferences," p. 46.)

Prior use of range.

The regular use of a range during its open season for several successive years before creation of a Forest and under grazing permit thereafter is

what is meant by "prior use" or "regular occupancy." So far as is consistent with other conditions, preference will be given to those who have continuously used the range for the longest period.

Ranch property must be owned.

A person can not qualify as a permittee through the leasing of land or ranch property only. Actual owners of ranch property used in connection with the permitted stock will be recognized as qualified to share in the use of the Forest ranges on the basis of prior use.

New settlers.

New settlers upon unimproved lands in either Government or private ownership may be granted temporary grazing privileges, which will be contingent upon continued residence upon the lands, their improvement, and compliance with the United States land laws or contract agreements, and will not become permanent until after three years' use of the range. They may, in the discretion of the supervisor, be limited in their initial use of the range to not more than one-half of the number of stock allowed to established bone fide Class A new applicants, with the understanding that they will receive annual increases which, at the end of the three-year temporary period, will allow them to graze the same number of stock as other Class A new applicants. Subsequent to the expiration of the three-year temporary period their status will be the same as that of other Class A new applicants.

Cooperative associations.

A cooperative association is an organization formed for purposes of economical management of stock upon the range, wherein the stock of the different owners are run together under a joint management, although each member retains absolute personal title and right of possession to the stock grazed in his name, enjoys actual personal use of the range to the full extent of his permit, and acknowledges personal responsibility for the proper management of his stock within the Forest. Each member of such a cooperative association must make individual application for the number of stock for which he desires permit. The approval of the application will be based upon the individual qualifications of the applicant. In no case will the total number of stock grazed under permit by all members of a cooperative association be allowed to exceed the maximum limit established for the Forest.

Use of common brand or mark.

The use of a common mark or brand and the distribution of profits, losses, and running expenses on a pro rata basis will not be considered objectionable if conclusive proof is submitted to show that no part of the benefits derived from grazing each specific number of stock upon the National Forest range is to be shared by others than the permittee.

Firm, partnership, copartnership.

A firm or copartnership must be in either Class B or Class C. It can establish a grazing preference in two ways: By use and occupancy of the lands included within the Forest prior to its creation, and by the purchase of the stock or ranches, or both, of a permittee under conditions justifying a renewal of the permit.

Corporation.

A corporation can not be given the same consideration as an individual owner; it must be in Class B or Class C. Between two corporations, one composed of local residents and the other of nonresidents, preference will be given the local corporation. In no case will preference be given a corporation over private individual owners, whether the members of the corporation reside near the Forest or not.

Partnerships or corporations as new applicants.

Grazing permits will not be issued to new firms or corporations when the members or stockholders of such firms or corporations hold permits to graze numbers of stock which, combined, exceed the maximum limit established for the Forest. The consolidation of permits will not be allowed when the combined number of stock is more than the maximum limit.

Married women and minors.

A married woman whose husband holds a grazing permit will not be recognized as a Class A new applicant unless she is in some way debarred from sharing in the grazing privilege enjoyed by her husband, owns and resides upon an improved ranch separate and apart from that of the husband, and is entirely dependent upon her own resources for a livelihood and the maintenance of her home.

If the State laws give a married woman the right of independent ownership of real estate and live stock, or if she has qualified as a femme sole or sole trader, thereby acquiring legal right of ownership and legal responsibility, and she possesses the other qualifications which entitle her to a grazing permit, she may be recognized as a Class B applicant, and as such her application may be approved, regardless of the fact that grazing privileges are held by her husband.

Where the wife applies to graze stock she has purchased, again the State law on ownership will govern.

Minors who were not occupants of the range at the time of the creation of the Forest will not be granted permits, except when they are at the head of a family dependent upon them for support. Minors under the control of parents or guardians may be granted permits if such action will not necessitate reduction in existing permits or the denial of applications of other Class A owners.

Estates.

Pending the division of an estate, a full renewal of the permit held by the deceased will be allowed in the name of the estate and the duly appointed administrator.

Heirs to permitted stock.

As a general rule an heir or devisee will be considered as in the same class with one who has purchased stock grazed under permit. Upon the issue of a court decree dividing the estate the privileges allowed the estate will be granted the beneficiaries under the rule governing the renewal of permits on account of purchase, except that the permit for that portion of the stock allotted by the court decree to the widow or minor heirs will not be subject to the reduction made in the renewal of permits to purchasers.

Lessees and herders.

A person leasing stock or running it on shares or herding it for the permittee is regarded as an employee only, and can not be allowed any preference in the use of the range by virtue of the fact that he has run the stock under lease or on shares or has handled it for the owner. The status of the owner determines all preferences allowed in the issuance of grazing permits.

Temporary use of range.

The provisions of Regulation G-14 and the instructions issued thereunder apply primarily to National Forests which are or soon will be fully occupied by the stock of permittees in Classes A and B. In Forests where the supply of forage is in excess of the requirements of permittees in Classes A and B temporary permits may be issued to applicants who do not possess any or all of the qualifications prescribed, or to qualified permittees who are already grazing numbers of stock representing their fair share in the permanent use of the Forest range.

PREFERENCE IN USE OF RANGE.

REGULATION G-15. Citizens of the United States will be given preference in the use of the National Forests, but persons who are not citizens may be allowed grazing permits provided they are bona fide residents and owners of improved ranch property either within or adjacent to a National Forest.

Regular occupants of the range who own and reside upon improved ranch property in or near National Forests will be given first consideration, but will be limited to a number which will not exclude regular occupants who reside or whose stock are wintered at a greater distance from the National Forests. With this provision applicants for grazing permits will be given preference in the following order:

Class A: Persons owning and residing upon improved ranch property within or near a National Forest who are dependent upon the National Forest for range and who do not own more than the established protective limit number of stock.

Class B: Regular users of National Forest range who do not own improved ranch property within or near a National Forest, and persons owning such ranch property who own numbers of stock in excess of the established protective limits.

Class C: Persons who are not regular users of National Forest range and who do not own improved ranch property within or near a National Forest. Class C applicants will not be granted permits upon Forests which are fully occupied by permittees of Classes A and B.

Persons who have not regularly used the range within newly created National Forests during preceding years will not be allowed to place stock upon it for the purpose of establishing a grazing priority unless they are bona fide settlers living either within or adjacent to the National Forest, who are entitled to share in the use of the range as Class A applicants.

Permittees of Classes B and C will not be allowed to increase the number of stock grazed under permit except by the purchase of other permitted stock under circumstances which warrant a renewal of the permit held by the original owner. (Issued April 25, 1913, to take effect May 1, 1913.)

Grazing privilege not a legal right.

No one can acquire a right to the use of National Forest range, but he may acquire a preference in the allotment of grazing privileges. This preference does not entitle him to continued use of a certain part of a Forest, but only to a preference over other applicants less entitled to consideration in the use of the ranges open to the class of stock which he wishes to graze. These preferences of their very nature possess relative degrees of superiority, and consequently have a number of gradations.

New Forests and additions.

During the first season after the creation of a new Forest or addition grazing privileges will be allotted on the basis of prior use and occupancy. No permit will be granted for a number of stock larger than the average number grazed by the applicant during the two years preceding the establishment of the Forest, unless the applicant, as a Class A settler, is reasonably entitled to increase toward the protective limit. After the first season applicants for grazing permits will be given preference in the following order:

Class A—Small near-by owners.

A Class A owner is one who does not own more than the protective limit number of stock established for the Forest, who owns and resides upon an improved ranch within or adjacent to the Forest, and who is dependent upon the use of the National Forest range in connection with his ranch property. Until the protective limit is defined it is within the discretion of the supervisor to determine whether an applicant is a large or small owner. A firm or corporation can not be considered as a Class A applicant, but may be allowed exemption from reduction below the protective limit.

Class B—All other regular occupants of the range.

Class B includes owners of improved ranch property and stock in excess of the protective limit and owners of stock either above or below the protective limit who do not own improved ranch property. Copartnerships, companies, and corporations may be Class B owners. All permittees in this class must secure their permits on the basis of prior use and occupancy or the purchase of the stock and ranches of persons holding permits.

There may be several grades of Class B applicants. One who owns a large amount of improved ranch property, or one who resides in the vicinity of the Forest, or who has used the range during a long period of years, or who feeds his stock during the winter, may be given preference over one who does not own improved ranch property adjacent to the Forest, or who resides at a distance from the Forest, or who has only used the range a few years, or who winters his stock on the range. Class B permittees are subject to sliding-scale reductions, although usually such reductions are not applied to permits for less than the protective limit.

Class C—Owners of transient stock.

Class C embraces all grazing applications not falling within Classes A and B. A speculator who buys stock and places it upon the range at intervals, or the nomadic stockman with no fixed range who trails his stock to widely separated ranges, would be Class C owners. Class C applicants will be entirely excluded from the Forest before any reduction is made upon Class B applicants.

New settlers must qualify.

New settlers upon unimproved Government or patented lands will not be regarded as Class A applicants until they have demonstrated the good faith of their settlement by three years of residence, improvement, and cultivation, and by compliance with the United States land laws or satisfaction of contract agreements. They may, however, be granted the same preference in the use of the range that is granted to bona fide Class A applicants, provided that the grazing privileges granted will be temporary in character during the three-year period and will not be in excess of the settler's actual needs or so large that they will appear to be the principal object in filing upon or purchasing the land. (See "Permits to new owners.")

Status determined by holdings.

An applicant's status is determined by the total number of all classes of stock owned by him. He can not be a Class A cattle owner and Class B sheep owner. If he owns either class of stock in excess of the protective limit for that class he is a Class B owner, or if he owns a per cent of the cattle protective limit and also a per cent of the sheep protective limit which combined exceed 100 per cent he is in Class B. For example, the protective limit being 100 head for cattle and 1,200 head for sheep, if he owned 50 head of cattle and 500 head of sheep (92 per cent) he would be in Class A; but if he owned 75 head of cattle and 750 head of sheep (137 per cent) he would be in Class B. An applicant owning sheep and cattle may, however, be in both Class B and Class C.

Ownership of ranch property.

By ranch property is meant lands producing cultivated crops which are used for feeding live stock. In localities where the production of feed is not a requisite to the stock business the ownership of spring and fall range or lambing grounds by a bona fide resident dependent upon the use of the range is given nearly the same weight with the ownership of cultivated lands. The same is true of the ownership of water rights which control adjoining National Forest range. In renewals to purchasers of permitted stock the ownership of spring and fall range or water rights closely related to the use of National Forest range may be given equal weight with improved ranch property. Property of this sort must be commensurate with the number of stock and be actually dependent for its value upon National Forest range. To illustrate, a spring and fall range and lambing ground sufficient for 1,000 head of sheep might justify the approval of an application for a permit to graze 1,000 or less sheep upon a National Forest during the summer season, but not of an application to graze 2,000 head of sheep during the summer season or to lamb and graze 1,000 head of sheep during the spring and fall seasons.

Dependence upon range.

A person will be considered dependent upon the use of the National Forest range when the Forest lands adjacent to his own contain the only available stock range and the grazing of a limited number of stock is essential to his success in the development of his land.

Residence.

Residence is simply an index in determining the degree of dependence. A person residing at a distance from a National Forest can not be considered so dependent upon Forest range as one residing near by.

Transient owners.

A permit may be granted an owner who is a transient resident in the locality only with the understanding that it gives no permanent grazing preference. This precaution is necessary to guard the interests of future Class A applicants.

Retention of preferences.

Grazing preferences can be retained only by a continual use of a range. Applicants who apply to graze a reduced number of stock can not expect range to be reserved for them for a higher number later on. In the case of a voluntary reduction other applications may be approved for the number by which the first permit was reduced. The preference thus gained will not be surrendered because the first permittee applies a year or two later to graze the original number of stock.

Nonuse of range.

Applications from persons with established preferences will not be disapproved for nonuse of the range during one year if a statement giving satisfactory reasons is filed with the supervisor before the opening of the grazing period.

Waiver of preference.

Where the renewal of a permit is allowed a purchaser of stock, a written waiver of all claims by the original permittee to a renewal of the permit for the stock sold should be filed with the supervisor.

A person who has signed a waiver of grazing privileges will not be recognized as a new applicant until after three years from the date of waiver, but may secure at any time a renewal of permit as a purchaser of permitted stock. (See instructions regarding involuntary purchase of stock, p. 53.)

Foreclosure of mortgage.

If a mortgage on stock is foreclosed, the permittee does not lose his preference in a permit for the following season, and unless he has returned his permit to the supervisor and consented to the issuance of a permit to the mortgagor as a purchaser for the remainder of the grazing period he may replace the stock. The person foreclosing the mortgage may be allowed, with the consent of the permittee, to continue grazing the stock during the remainder of the current grazing period under the same conditions as a purchaser, but secures no privileges of renewal unless the owner of the stock signs a waiver of his renewal preferences.

The foreclosure of a mortgage covering both stock and ranch will not cause a permittee to lose the preference allowed him in use of the range if he replaces the stock and secures another ranch equally dependent upon the range.

Nonownership of stock.

An applicant who does not own the stock for which permit is desired, and whose prior use of the range entitles him to consideration, may secure a grazing permit on his certification that the stock will be purchased.

Transfer of preference to another Forest.

A grazing preference can be transferred from one Forest to another only when the first Forest is overstocked and the second Forest is understocked and the transfer will be generally beneficial. In this event a transfer may be allowed if both supervisors approve.

PROTECTIVE AND MAXIMUM LIMITS.

REGULATION G-16. When necessary to secure an equitable distribution of grazing privileges the district forester will establish protective limits covering the number of stock for which the permits of small Class A owners will be exempt from reduction in their renewal. It will be within the discretion of the district forester to establish general protective limits applicable to the entire Forest or special protective limits for each grazing district, such limits to be based upon the character and intensity of the demand for grazing privileges within each district. Permits for numbers of stock in excess of the protective limits will be subject to necessary sliding scale or other reductions, and will not be subject to increase in number except through purchase of stock and ranches of other permittees. (See Reg. G-18.)

When necessary to prevent monopoly of the range the district forester will establish maximum limits to the number of stock for which a permit will be issued to any one person, firm, or corporation. The maximum limit may, in the discretion of the district forester, be made applicable to a portion of a Forest,

to an entire Forest, or to a group of contiguous Forests. Permits for numbers of stock in excess of the maximum limits will be issued only to persons who, during the preceding year, held permits to graze numbers of stock equal to or greater than that for which application is made. The district forester may suspend the maximum limit in special cases. (Issued April 25, 1913, to take effect May 1, 1913.)

Purpose of protective limits.

Protective limits are established to protect permittees from reductions in the number of stock which they are allowed to graze under permit to a point where it is too small to be handled at a profit or to contribute adequately to the maintenance of a home. The average number of stock which a settler must graze in order to utilize the products of his farm or derive a reasonable profit will be determined upon each Forest or, if necessary, upon each grazing district thereof, and will serve as the basis for the protective limit.

Purpose of maximum limits.

Maximum limits are established to prevent monopoly of the range and to preserve a wide distribution of grazing privileges. No permittee will be allowed to increase the number of stock above this limit. Necessary reductions in permits for more than the maximum limit will be made in accordance with the sliding scale.

RENEWAL OF PERMITS.

REGULATION G-17. Grazing permits will be renewed only when the grazing of the class of stock involved is authorized by the Secretary of Agriculture. A permit may be divided in its renewal because of division of stock and ranches between two or more owners or purchasers. Permits for numbers of stock in excess of the established protective limits will be subject to reduction in their renewal, and no division or sale of stock and ranches will exempt such permits from reduction. (Issued April 25, 1913, to take effect May 1, 1913.)

Change of residence.

A permittee with an established preference may change his residence to a point more remote from the Forest without disqualifying for a renewal of permit, provided he retains his other interests.

Sale of ranch.

A permittee having a range preference based on ranch property located in or adjacent to a National Forest may dispose of such ranch property without entirely disqualifying himself for a renewal, but unless he secures similarly located ranch property his classification is changed, and the renewal of the permit will be on the basis of the changed classification.

Change in class of stock.

A renewal of permit may be allowed for a class of stock different from that previously granted. It may require relinquishment of one range and acceptance of another on some other part of the Forest. The ratio of exchange will depend on the demand and the capacity of the ranges in question.

Partnerships.

A permittee having an established preference may enter into partnership agreement with another person not a permittee, and secure a renewal of his permit in the name of the partnership, the proportionate interest transferred being subject to the rules governing the renewal of permits to purchasers.

Partnership ordinarily means joint ownership of the stock and ranches, and the renewal to each member depends upon the division of each that is made. Signed agreements showing this division may be required by the supervisor.

A renewal on the division of stock and ranches may give a member preference in the range for a certain number of stock, but it does not define his status or whether he is in Class A, B, or C.

In the renewal of a permit held by a partnership to the individual members the same reductions will be made on the total number of stock grazed the previous year as would have been made on the original permit, each renewed per-

mit bearing its pro rata share of such reduction. The stockholders of a corporation which has dissolved may be allowed a renewal of permit under the rules governing renewal of permits to purchasers.

Renewal to estates.

In case of the death of a qualified permittee a full renewal of permit will be granted in the name of the estate and the duly appointed administrator until the estate is divided and distributed among the heirs by court decree. Renewal of permit to the heirs will be in accordance with the instructions governing the issuance of permits to purchasers of permitted stock. For exception to this, see under "Heirs to permitted stock," p. 46.

An estate that has not been divided by court decree will not be considered as belonging to the heirs or devisees, even though the property may have been specifically apportioned by will or by agreement between the interested parties.

INCREASES AND REDUCTIONS IN NUMBER OF STOCK.

Increases above protective limit.

Increases above the protective limit will be allowed only to purchasers of stock and ranches of permit holders, and any such increase will not exceed the maximum limit.

Increases by Class A permittees.

Class A permittees owning a less number of stock than the protective limit will be allowed to increase their number gradually, but may be restricted in the number added each year. Old Class A users may increase at once to the number allowed new applicants. Beyond this number increases will be by fixed percentages established by grades. On fully stocked Forests the total increase allowed combined with the total number allotted new settlers must not be more than 3 per cent of the allotment except when a surplus in excess of this percentage is created by the reduction on permits renewed to purchasers. The supervisor will determine the division of the allotment which will be made between new settlers and persons whose permits are below the protective limit.

Increase in long-term permits.

Term applications for less than the protective limit may be amended to allow the same annual increase that is allowed annual applicants until the protective limit is reached.

Reductions.

Where reductions are necessary, each grazing district will be considered as a unit, and the permittees occupying it will be required to meet any reductions necessary to prevent damage to the district or to provide range for new applicants entitled to graze within the district. Reductions will be based upon the number of stock grazed under permit the previous year. When there is unused range on other districts within the Forest, permittees who desire to transfer a part or all of their permitted stock to such range will be given a preference in its use. Class C owners will be excluded before the other classes are reduced. The reduction will be made on the Class B owners. Class A owners will be exempt from reduction.

Method of applying sliding scale.

When a sliding-scale reduction figure has been worked out it may be applied in the following manner, varying the percentages to suit the situation: All applicants who do not own improved ranch property or who are nonresident ranch owners and winter their stock upon the adjoining open range, regular users who purchase winter feed for their stock from resident ranch owners, and nonresident ranch owners whose stock is wintered upon the products of their lands will be reduced 75 per cent of the reduction figure. Owners residing upon their improved ranches and wintering their stock upon the products of their lands will be reduced 50 per cent of the reduction figure.

Reduction in long-term permits.

All applications for grazing during a term of years, which are approved for more than the protective limit, will be granted, subject to an annual reduction, not exceeding 5 per cent, to provide for the issuance of permits to new settlers within or in the immediate vicinity of the National Forests, and subject to any additional reduction which may be necessary to stop damage to the Forest.

At the expiration of the term permit the 5 per cent clause to provide for new owners ceases to be binding on the Service, and the application is subject to any percentage of reduction before it is renewed that is effective on the Forest at the time.

PERMITS TO PURCHASERS OF PERMITTED STOCK.

REGULATION G 18. Permits will be granted only for the exclusive use and benefit of the owners of the stock and will be forfeited if sold or transferred in any manner or for any consideration. If stock grazed under permit is sold during the term of the permit the original permit must be surrendered to the supervisor, who, upon receipt of evidence that the sale is bona fide, will cancel the original permit and will issue, free of charge, an amended permit to the original permittee for the number of stock retained and a permit to the purchaser for the number of stock purchased, which will allow the grazing of such stock upon the National Forest during the remainder of the permit period. Renewal of permit to the purchaser during subsequent years will be subject to the following restrictions:

The permittee from whom the stock is purchased must have used the range during three or more successive years, unless the initial permit was secured through the purchase of permitted stock, in which event a renewal of permit to a second purchaser may be allowed after the expiration of one year from the date of the permit issued to the first purchaser. The permittee selling the stock must execute an agreement waiving to the United States all claims to preference in the use of the Forest land for the grazing of the number of stock transferred. The permit in its renewal will be subject to the maximum limit restrictions and to necessary reductions applicable to other permits of the same class and no division of stock and ranches will exempt such permits from reduction.

Subject to the foregoing restrictions a renewal of permit for not to exceed 90 per cent of the stock purchased may be allowed the purchaser of stock grazed under permit and the ranches used in connection therewith, and provided that a full renewal will be allowed if the purchaser is a resident ranch owner who does not own a total of more than the protective limit number of stock. The mere purchase of stock grazed under permit will not entitle the purchaser to share in the grazing privilege, but if the purchaser is the owner of improved ranch property which is commensurate and used in connection with the permitted stock, a renewal of permit may be allowed for not to exceed 80 per cent of the stock purchased. (Issued April 25, 1913, to take effect May 1, 1913.)

Sale of stock after approval of application.

Where stock is sold after the application for a grazing permit has been approved and prior to the beginning of the grazing period, the application of the purchaser may be approved upon his merits, subject to the reductions governing the issue of permits to the purchasers of stock.

Purchaser must observe original requirements.

All conditions, stipulations, and agreements which were binding upon the original permittee will also be binding upon the purchaser of permitted stock, and a renewal of permit may be denied for failure to observe all requirements. For example: A permit issued upon condition that the stock would be fed during the winter upon the products of the permittee's ranch will not be renewed to a purchaser of the stock except upon the same condition, and will be discontinued upon failure of the purchaser to observe the terms of the stipulation.

Qualifications of purchaser.

No renewal of permit will be granted to a purchaser of permitted stock unless he is qualified, by ownership of ranch property and in other requisite ways, to share in the use of the Forest ranges.

Purchase of stock by owner of improved ranch.

A purchaser of permitted stock who owns ranch property commensurate and so located that it will be used in connection with the stock, or who acquires such property from persons other than the original permittee, may be allowed a renewal of permit for not to exceed 80 per cent of the number of permitted stock purchased, provided that the maximum limit restriction is not exceeded.

Purchase of stock and ranch.

If the ranch property is used in connection with the permitted stock, the purchaser of both the stock and ranch of a permittee may be allowed a renewal of permit for not more than 90 per cent of the permitted stock purchased, subject to the maximum limit restrictions. If the ranch property is not fully commensurate a proportionate reduction should be made in the number of stock for which renewal of permit is allowed.

A renewal of permit may be allowed for the full number of stock purchased if the purchaser possesses Class A qualifications and does not own a total of more than the protective limit number of stock.

Purchase of ranch property only.

The purchase of ranch property or improvements used in connection with permitted stock does not convey any right or preference to a share in the use of Forest lands, and no renewal of permit will be allowed solely on the basis of such a purchase. A purchaser of ranch property previously used in connection with permitted stock will be considered only as a new applicant or as the purchaser of other permitted stock.

In cases where the permitted stock are removed from the Forest, the purchaser not intending to continue in the use of Forest lands, and where the permittee has signed a waiver, the purchaser of the ranch property will be given a preference over other new applicants to the extent of being placed at the head of the list and granted first consideration.

Definition of ranch property.

Property, such as town lots, fruit land, or mineral land, which does not bear a direct relation to and is not dependent upon the live stock for its best use will not be accepted as a basis for the renewal of permit to the purchaser of permitted stock. The character of the property and the degree of its use in connection with the stock must conform to the general requirements and practices of the locality.

Relation of ranch property to stock.

Where winter feeding is necessary the land must produce sufficient feed to winter the permitted stock and must be used for that purpose. Where winter feeding is not required the ownership of a headquarters ranch, spring, fall, or winter range, lambing grounds, or lands containing controlling sources of water supply may justify renewal. In every case the land must be used in connection with the permitted stock and be commensurate with the number of such stock for the purpose for which it is used.

Leased land not acceptable.

The applicant for renewal must hold title to the lands, as leased lands do not meet the requirements of the regulations.

Involuntary purchase through foreclosure.

The acquisition of permitted stock through the foreclosure of a mortgage or a forced sale conveys no privileges of renewal of permit unless the original permittee signs an agreement waiving all further claim to preference in the use of the range, nor does it exempt the purchaser from any of the provisions of the regulations governing the renewal of permits to purchasers, except temporarily as explained in the following paragraph:

Temporary permit to involuntary purchaser.

A temporary permit, effective during one season only and not subject to renewal, may be granted the purchaser of stock through a forced sale (*a*) when there is surplus range which may be used without undue interference with other permittees; (*b*) when the original permittee, while retaining his grazing preference and intending to place stock on the range after the expiration of one year, does not intend to replace the mortgaged stock during the season following the foreclosure.

Renewal in case of involuntary purchase.

When the original owner has signed a waiver the purchaser of stock obtained by a forced sale may be allowed a full renewal for the following season, with the understanding that at the beginning of the second year the reductions required by the regulations will be imposed and the rules in reference to the issuance of permits to purchasers of permitted stock will be strictly enforced.

If the stock is sold to a second purchaser during the year in which a full renewal is allowed the regular reduction will be made in the renewal of the permit during the following season.

PERMITS TO NEW OWNERS.

REGULATION G-19. Grazing applications, other than for renewal of permit, will not be approved if the average number of stock per permit upon the Forest or upon the grazing district where the stock are to be grazed is more than 20 per cent below the established protective limit number, or if the approval of such applications requires a total reduction upon any permit of the preceding year of more than 10 per cent in the permit of an owner of improved ranch property commensurate with the permitted stock, or more than 20 per cent in the permit of a person not owning such property. If a Forest or a grazing district is fully stocked the total number of stock to be distributed among new applicants and permittees below the protective limit during any one year must not exceed 3 per cent of the total number authorized for the year, and no new permit will be issued for more than one-half of the protective limit number; or, if the average number of stock per permit is less than the protective limit established for the Forest or the grazing district, no new permit will be issued for more than one-fourth of the protective limit number, nor will such permit be issued except for stock which will be fed during the winter from the products of the permittee's ranch.

Upon fully stocked Forests or grazing districts applications other than for renewal of permit will not be considered unless filed with the supervisor six months before the beginning of the grazing season.

Persons who have sold their stock grazed under permit and signed a waiver to their preference will not be recognized as new applicants for a period of three years from the date of the waiver, except as purchasers of permitted stock. (Issued April 25, 1913, to take effect May 1, 1913.)

Filed six months in advance.

Applications from new settlers or beginners for grazing privileges on Forests or grazing districts which are fully occupied will not be considered unless filed with the supervisor at least six months before the beginning of the yearlong grazing season.

Number of stock allowed.

When the range is fully occupied the total number of stock allowed beginners in any one year will not exceed 3 per cent of the total allowance for the Forest or grazing district.

Beginners will not be given permits when to do so would involve a reduction in the renewal of any permit issued for the previous year which, when combined with all reductions for other purposes, will in any one year be greater than 10 per cent of the permit of an owner of improved ranch property commensurate with the permitted stock, or 20 per cent of the permit of a person not owning such property.

Class B beginners.

The applications of beginners who are in Class B may be approved for the number of stock allowed other beginners when there is surplus range, and the issuance of a permit will not entail a reduction upon occupants of the range or debar Class A applicants.

When not allowed.

New applicants will not be granted permits to graze stock within any Forest or part thereof where the average number of stock per permit is less than 80 per cent of the protective limit number. Where this condition exists the further division of grazing privileges among a larger number of persons is a hardship upon persons already holding permits and detrimental, rather than beneficial, in its effect upon the local welfare.

When restricted to one-fourth of protective limit.

Upon Forests or parts thereof where the average number of stock is between 80 and 100 per cent of the protective limit number, none but Class A new applicants will receive favorable consideration. The number of stock the new applicant will be allowed to graze during the first year will be not more than one-fourth of the protective limit number; permit will be issued only for stock

that is to be wintered upon the products of the applicant's ranch, and will not be renewed if winter feeding is discontinued. Where the average holding per permit is so low, the admittance of additional permittees is justified only when the new applicants absolutely require limited grazing privileges in order to dispose of the products of their ranches which can be marketed only by feeding them to live stock.

When restricted to one-half of protective limit.

Upon Forests or parts thereof which are fully occupied by stock but where the average number per permit is above the protective limit none but Class A applicants will receive favorable consideration. The maximum number of stock they will be allowed to graze the first year is one-half of the protective limit number.

When allowed for full protective limit number.

Upon Forests or grazing districts that are not fully stocked, bona fide Class A permittees may be granted permits to graze the full protective limit number of stock. If there is surplus range new applicants of Class B, *i. e.*, ranch owners grazing more than the protective limit number of stock, may also be allowed permits up to the protective limit number, provided that the issuance of permits to them will not entail a reduction upon other occupants of the range or debar Class A applicants.

Temporary allowances.

If after providing for all qualified applicants of Classes A and B there is still surplus range, temporary permits may be granted to new applicants of Class C.

GRAZING PERMITS.

Issuance.

Upon receipt of notice by the supervisor that the fees have been paid a permit will be issued and the original, accompanied by the original letter of transmittal, will be sent to the permittee.

Permits do not cover private land.

The permits issued by the Forest Service do not grant authority to graze stock upon any except National Forest lands, and the use of private lands and valid claims must be with the consent of the owner or claimant.

The Government is not responsible for the intrusion of permitted stock upon private lands. Controversies between the owner of the stock and the owner of the land must be settled in the State courts under the State laws.

Cancellation or revocation of permit.

REGULATION G-20. Authority to cancel or revoke grazing permits is delegated to Forest officers under the following conditions: Permits may be canceled by the issuing officer or his successor or official superior upon request or with the consent of the permittee, if such cancellation is not detrimental to the best interests of the Government. Permits may be revoked for breach of the terms of the grazing application or permit or of the rules and regulations, provided that the breach thereof is clearly established after the permittee has been afforded a reasonable opportunity to show cause why the permit should not be revoked, and that the revocation of permit is approved by the district assistant to the Solicitor, but they may be revoked only by an official superior of the issuing officer or in the following general order: Forest rangers' permits by the forest supervisor, forest supervisors' permits by the district forester, district foresters' permits by the Forester. (Issued April 25, 1913, to take effect May 1, 1913.)

Cancellation requires the consent of the permittee and the surrender of the permit. Reference to the district office is not necessary, unless by some unusual circumstance the permit was authorized or issued by the district forester.

A permit may be revoked for a violation of its terms without the consent of the permittee or the surrender of the permit.

The permittee will be advised of the reasons rendering necessary the revocation of a permit, and will be allowed a reasonable time within which to show cause why the permit should not be revoked.

BONDS.

REGULATION G 21. Whenever it is necessary for the protection of a National Forest, or of the interests dependent upon it, the supervisor may require the owners of transient stock or nonresidents of the State or Territory in which the National Forest is located or persons who have persistently violated the regulations of the Secretary of Agriculture to give good and sufficient bond to insure payment for all damage sustained by the Government through violation of the regulations or the terms of the permit. (Issued April 25, 1913, to take effect May 1, 1913.)

SETTLEMENT OF CONTROVERSIES.

REGULATION G 22. Whenever there is a dispute between grazing applicants for the same area the supervisor will notify them to appear before him at a stated time and place to make a statement of their claims. After all evidence has been presented the supervisor will decide who shall be granted permits and will forthwith notify each party to the dispute of his decision and his reasons therefor, which will be final unless written notice of appeal to the district forester is given within 10 days thereafter. Upon filing such notice 20 days will be allowed for preparation of the case for presentation to the district forester. (Issued April 25, 1913, to take effect May 1, 1913.)

An appeal to the district forester should be prepared in accordance with the instructions governing the preparation of appeals, and should be filed in duplicate with the supervisor. Pending decision, the party occupying the range will be allowed to continue its use, but must remove his stock within 10 days after receiving notice that the district forester has decided against him, unless an appeal is taken to the Forester or the Secretary of Agriculture. In case of such an appeal the person in possession of the range will be allowed to continue its use until a final decision has been rendered.

APPEALS.

REGULATION G-23. The disapproval of an application for grazing privileges, the denial of an increase or the requirement of a reduction in the number of stock covered by a permit in its renewal, or the disapproval of a request for a certain range allotment by the supervisor shall be considered final unless written request for a reconsideration of the case is filed with the supervisor within 10 days from the date of the receipt of his decision. The decision of the supervisor, after a reconsideration of the case, shall be considered final unless written notice of appeal to the district forester is filed with the supervisor within 10 days from the receipt of his decision. The decision of the district forester under this or the foregoing regulation shall be considered final unless written notice of appeal to the Forester is filed with the district forester within 10 days from the receipt of his decision. Appeal may also be taken to the Secretary of Agriculture from adverse decisions of the Forester and must be presented to the Secretary of Agriculture within 30 days from notice of the decision of the Forester. Appeal under this or the foregoing regulation to the district forester, the Forester, or the Secretary of Agriculture will avail only when it is shown by the evidence submitted that the decision is not warranted by the facts or is contrary to the grazing regulations or the instructions covering the allotment of grazing privileges. (Issued April 25, 1913, to take effect May 1, 1913.)

Upon receipt of request for a reconsideration of a case, the supervisor will furnish the applicant with a copy of the grazing regulations and of the instructions upon which he based his decision, upon receipt of which the applicant will prepare his formal statement in writing, verify it by oath, and accompany it by affidavits of available witnesses.

When all the evidence in the case has been filed by the applicant with the supervisor, the latter will examine the record carefully, and if evidence upon material points is lacking he will notify the applicant of the omission and advise him that he will be given 10 days additional in which to submit the missing evidence. Within 10 days from the date of the filing of the completed record the supervisor will prepare a formal decision, discussing each point of the applicant's statement, and stating clearly the regulations and reasons upon which his decision is based.

Should the decision be adverse, the applicant may file written notice with the supervisor within 10 days from the receipt of the registered decision, requesting a further consideration of material new evidence. The applicant will be advised by registered letter of the action taken upon his request, and if it is granted, will submit the additional evidence within the time set by the supervisor. If the request is allowed, the supervisor will prepare a final decision, which will be transmitted to the appellant in a registered letter. If the request is refused, or if the supervisor's final decision is adverse, the applicant may appeal to the district forester by filing written notice with the forest supervisor within 10 days from the receipt of the registered notification. In an appeal before the district forester, the applicant and the forest supervisor may each file an argument reviewing the previous decisions and the evidence in the case. New evidence will not be admitted unless the applicant's request for the consideration of new evidence has been rejected by the supervisor, in which event the new evidence may be submitted to the district forester, and, if material, will be considered by him.

Appeals to district forester.

When an appeal is taken to the district forester the supervisor will forward the complete record in the case to him for consideration. When this is received the district forester will review it and prepare a decision which will then be sent by registered mail to the appellant, and a copy transmitted to the supervisor.

The supervisor's decision will not be reversed unless it is shown to be unwarranted by the facts, the regulations, instructions, or the law. When there is a variation in the statements of the supervisor and the appellant, but the preponderance of the evidence shows the supervisor to be justified in his action, he will be sustained.

Within 10 days from the receipt of the district forester's decision, an appeal to the Forester may be filed with the district forester.

Appeals to Forester.

When a case is appealed to the Forester the applicant may file one additional statement reviewing the previous decisions and presenting the argument. The district forester will also file a statement. These two statements, together with all papers in the case, will be presented to the Forester, and upon them his decision will be rendered.

Appeals from adverse decisions of the Forester may be taken to the Secretary of Agriculture. Any person availing himself of this privilege must, within 30 days from the time he receives notice of the Forester's decision, file with the Forester his petition for review by the Secretary of Agriculture. Upon receipt of the petition the Forester will submit all the papers to the Secretary.

Examination of records.

Copies of answers or reports will be furnished the applicant in the discretion of the deciding officer. The applicant or his authorized agent may inspect the record of the case in the office of the supervisor, district forester, Forester, or Secretary of Agriculture, but will not be allowed to remove any papers. Statements of witnesses which have been submitted can not be regarded as confidential if they are considered as testimony. The applicant should be given full knowledge of the material facts contained in such statements, and of the identity of the witness. Statements submitted in confidence and which must be treated as confidential can not be used as the basis for a decision.

COUNTING STOCK.

REGULATION G-24. When an owner who has a permit is ready to drive in his stock he must notify the nearest Forest officer, by mail or otherwise, stating the number to be driven in. If called upon to do so, he must provide for having his stock counted before entering a National Forest, or at any time afterwards when the number of stock appears to be greater than the number covered by permit. Whenever any stock is removed before the expiration of the permit it can be replaced by other stock to fill out the number covered by permit if the Forest officer is notified of such action at once. (Issued April 25, 1913, to take effect May 1, 1913.)

Counting corrals will be constructed at convenient points to facilitate compliance with this regulation, and an actual count will be made wherever possible without serious interference with the proper handling of the stock.

Where cattle or horses are driven to Forest ranges from the feed lots or winter ranges a count may be made at points of entry designated by the Forest officers.

Counting in the feed lots can be done at a time when it will interfere little with a ranger's duties. If the number for which application is submitted is less than the number in the possession of the applicant at the time the count was made, he may be required, on entering the Forest, to show what disposition has been made of the balance. An applicant who refuses to allow his stock to be counted in a feed lot may be required to arrange for a count before entering the Forest or to round-up at any time thereafter.

DAMAGE TO ROADS, TRAILS, OR SPRINGS.

REGULATION G-25. Each person or group of persons granted grazing permits must repair all damage to roads or trails caused by the presence of their stock in any portion of a National Forest, and build any new roads or trails found necessary for the proper handling of their stock. They must also fence any spring or seep which is being damaged by the tramping of their stock, and, if required by the supervisor, must pipe the water into troughs for watering stock. Such troughs must be open for public use. (Issued April 25, 1913, to take effect May 1, 1913.)

BEDDING SHEEP AND GOATS.

REGULATION G-26. Sheep and goats must not be bedded more than six nights in succession in the same place, except when bedding bands of ewes during lambing season; and must not be bedded within 300 yard of any running stream or living spring, except in rare cases where this restriction is clearly impracticable. (Issued April 25, 1913, to take effect May 1, 1913.)

DISPOSITION OF CARCASSES.

REGULATION G-27. The carcasses of all animals which die on the National Forest from contagious or infectious diseases must be burned and the carcasses of all animals which die in the close vicinity of water must be removed immediately and buried or burned. (Issued April 25, 1913, to take effect May 1, 1913.)

SALTING STOCK.

REGULATION G-28. Whenever the Forest officers require it, all stock grazed under permit must be salted regularly at such places and in such manner as they may designate. (Issued April 25, 1913, to take effect May 1, 1913.)

Salting is required as a means of Forest protection, and the regulation will be enforced to as great an extent as the interests of the Forest demand.

A person who refuses, upon request, to salt his stock will be liable to a reduction in permit number during the following year. If his disregard is continued, and results in damage to the range, he may be denied further privileges. Obviously, where natural licks occur, salting will be unnecessary.

QUARANTINE AND LOCAL LAWS.

REGULATION G-29. All stock which is grazed under permit in, or allowed to cross, any National Forest will be required to conform to the quarantine regulations of the Secretary of Agriculture, and all live-stock laws of the State or Territory in which the National Forest is located. Forest officers will cooperate with State or Territorial officers, so far as they can without undue interference with their regular Forest work, to enforce local laws for the protection of stock, and will promptly inform the State officials of all violations discovered. (Issued April 25, 1913, to take effect May 1, 1913.)

Whenever the stock in any locality is known to be infected with a contagious disease, or notice to that effect has been given the Forester or district forester

by the Bureau of Animal Industry, the owners of all stock to be grazed in National Forests must, if required to do so, subject the stock to inspection, and, if found necessary, have such stock dipped or otherwise treated before it is allowed to enter. If at any time during the period for which a grazing permit has been issued the stock is found to be infected with a contagious disease, it must be dipped or otherwise treated in accordance with the instructions of the inspectors of the Bureau of Animal Industry, or the permit will be canceled and the stock removed from the National Forests.

The owners of all stock grazed under permit must comply with the live-stock laws of the State or Territory. Rangers will report at once any violation of the live-stock laws, and will assist the stock owners to protect their property against loss by theft.

STRAY OR UNBRANDED STOCK.

The ownership of all stray or unbranded stock upon the National Forests will be determined by the laws of the State or Territory in which the Forest is located. Persons legally entitled to acquire title to stray or unbranded stock may be allowed to do so, but no permit or agreement should be granted or entered into by any Forest officer which authorizes a charge to be made for the gathering of such stock or its sale by the person or persons who have gathered or captured it.

The owners of all branded animals which are captured with unbranded stock will be required to make application for permit and pay the grazing fees upon them. Stray or unbranded stock, if not claimed, will be held, and the State or Territorial authorities requested to take charge of it or authorize the Forest officer to dispose of it in accordance with the State or Territorial law.

The construction of corrals or pastures for use in capturing wild unbranded stock may be allowed under the rules governing other special uses of the National Forest.

PART IV.—CLAIMS, SETTLEMENT, SPECIAL USES, WATER POWER.

CLAIMS.

INITIATION OF CLAIMS ON NATIONAL FORESTS.

Claims can be initiated upon lands within National Forests, or upon lands withdrawn for National Forest purposes, only under the mining laws, the coal-land laws, and the act of June 11, 1906. But claims of any description within a National Forest initiated prior to the withdrawal of the lands, or their inclusion therein, may be perfected and patents obtained by compliance with the law under which such claims were initiated.

SQUATTERS' CLAIMS.

Squatters who settled upon National Forest land before its withdrawal and who have maintained residence thereon, improvements, and cultivation in good faith since settlement, and who are awaiting public survey to make entry, have the same right to occupy and enjoy their holdings as homestead entrymen.

Such a settler must make entry of the land claimed within three months from the filing of the township plat in the local land office for the district within which such land is situated. Failure to do so may forfeit his prior right of entry.

No rights can be initiated in this way upon land which has been withdrawn for or included in a National Forest.

A posted notice of claim to a tract of land is not the basis of title, and where actual residence in pursuance of an intention to remain is relied upon as the basis, failure to maintain it may result in the forfeiture of the claim. Squatters may, at their option, await public survey or apply for the examination of their lands that they may be opened to entry under the act of June 11, 1906 (34 Stat., 233).

RELINQUISHMENT OF CLAIMS.

REGULATION L-41. No Forest officer shall, except as hereinafter provided, request a homestead entryman to relinquish his claim or suggest for any reason whatsoever that such a course is desirable. If any homestead entryman voluntarily offers to relinquish his claim, the Forest officer may suggest that the relinquishment be transmitted to the local land office, but shall not encourage this to be done. Forest officers who receive by mail relinquishments from claimants must return the same, with the suggestion in every case that if the entryman desires to relinquish he should send the relinquishment to the local land office. No Forest officer shall be a party to a compromise whereby any claims or trespass case is settled by requiring the claimant to relinquish a claim to the United States.

When relinquishments are offered which cover lands needed for administrative purposes, and when it is desired to pay the claimant for improvements thereon, a recommendation, accompanied by the reasons in each specific case, shall be submitted to the Forester, who may authorize the purchase of the improvements upon the filing of the relinquishment in the local land office. (Issued December 19, 1911, to take effect February 1, 1912.)

EXAMINATIONS AND CONTESTS.

The administration of the National Forests is a duty imposed upon the Secretary of Agriculture by law. In order properly to discharge that duty, it is necessary that he ascertain the status of all lands within the National Forests. The examination of claims within National Forests by Forest officers is made primarily in furtherance of this object. The information thus obtained

is, as a matter of Government economy, placed at the disposal of the Secretary of the Interior, upon whom rests the responsibility for determining the title to all lands within the National Forests.

It is not the purpose or intent of the department to initiate contests against claimants who have entered lands in the National Forests in good faith to secure a home or for other purposes recognized by law. It is the purpose and intent to protect the lands of the United States within the National Forests from acquisition by those who do not seek them for purposes recognized by law, and when it is apparent that an entry or a claim is not initiated in good faith and in compliance with the spirit of the law under which it is asserted, but is believed from the facts to be a subterfuge to acquire title to timber lands, or to control range privileges, water, a water-power site, or rights of way, or if it otherwise actively and materially interferes with the essential interests of the National Forest in that locality and is not made or maintained in good faith, a contest will be recommended, even if the technical requirements of the law appear to have been fulfilled.

DEFINITION OF A VALID CLAIM.

A valid claim is one initiated in good faith under some act of Congress for the acquisition of title to public lands. It is a fundamental requisite that all claims be initiated in good faith for the purpose contemplated by the law under which they are held. It is bad faith, for instance, to hold a mining or agricultural claim primarily for the timber thereon. Where the land is held for the timber, for a hotel site, saloon site, or other foreign use, and there has been no compliance with the requirements of the law under which the claim was initiated, it is considered prejudicial to public interests.

EXAMINATION OF MINERAL CLAIMS.

Prospecting is not interfered with, and mineral locations will not be examined prior to application for mineral patent, except where a report is requested by the Department of the Interior, or where locations interfere with the administration of the National Forest. No adverse report will be submitted to the Department of the Interior which has not been made by a mineral examiner.

FREE USE OF TIMBER FOR DEVELOPMENT OF MINERAL CLAIMS.

The locator or subsequent owner of a mining claim has a right to the use of sufficient timber from his claim for development purposes, such as timber for shafts and tunnels. Timber, however, may not be cut from one claim to be used on another claim, even if it be of the same group, unless its use tends to develop the claim from which it is cut, as well as the one on which it is used, except under free-use permit.

Free-use permits are granted to bona fide miners and prospectors who may not reasonably be required to purchase, and who have not on their own claims a sufficient or practically accessible supply of material for the purposes named in the law. (See Reg. S-20, p. 30.)

A mining claimant has no right whatever to cut or remove timber from his claim for sale or for purposes other than the development of the claim.

SETTLEMENT.

NATIONAL FOREST HOMESTEAD ACT.

REGULATION L-50. The act of June 11, 1906, authorizes the Secretary of Agriculture to examine and ascertain the location and extent of lands within permanent or temporary National Forests which are chiefly valuable for agriculture, and which, in his opinion, can be occupied for agricultural purposes without injury to the National Forests and which are not needed for public purposes, to the end that they may be listed with the Secretary of the Interior for opening to settlement and entry under the act and homestead laws. The examination and listing of such lands are optional with the Secretary of Agriculture and may be made either independently or on application. (Issued December 19, 1911, to take effect February 1, 1912.)

REGULATION L-51. Applications for the examination and listing of lands under the act of June 11, 1906, must be in writing, must be dated, and must be signed by the applicant. If the tract applied for is covered by a public-land

survey, it must be described by reference to subdivision, section, township, and range within which it is located. If the tract is not covered by a public-land survey, it must be described by reference to natural objects, streams, or improvements with sufficient accuracy to identify it. Applications must be filed with the district forester of the district in which the tract applied for is situated. An application which is not in the form prescribed above will be returned to the applicant for correction. Priority of application will be determined by the order in which applications are filed with the district forester in the form prescribed herein. (Issued December 19, 1911, to take effect February 1, 1912.)

REGULATION L–52. The Secretary of Agriculture will not consider the qualification under the homestead laws of applicants for the examination and listing of lands under the act of June 11, 1906. (Issued December 19, 1911, to take effect February 1, 1912.)

REGULATION L–53. The rejection by the district forester of an application for the examination and listing of lands under the act of June 11, 1906, shall be final unless the applicant shall within 30 days after receipt of the district forester's decision, in which will be stated the grounds for such rejection, file with the district forester a petition for review of such decision by the Forester. The affirmance by the Forester of the district forester's decision shall be final unless within 60 days after notice of such affirmance the applicant shall file with the Forester a petition for review of his decision by the Secretary of Agriculture. Every petition for review provided for in the regulation shall state the grounds upon which it is based, and shall be accompanied by a full, clear, and succinct statement of all the material facts in the case, together with such argument as the petitioner may care to submit. (Issued December 19, 1911, to take effect February 1, 1912.)

The act of June 11, 1906 (34 Stat., 233), known as the National Forest homestead act, provides for the acquisition by qualified entrymen of agricultural lands within National Forests. This act is in effect an extension of the general provisions of the homestead laws to agricultural lands within National Forests, with the essential difference that the land must be classified by the Secretary of Agriculture as chiefly valuable for agriculture, and that no commutation is allowed.

CLASSIFICATION OF AGRICULTURAL LANDS.

The National Forests are being classified as rapidly as possible to segregate the lands chiefly valuable for agriculture, and make them available for home seekers. Wherever considerable bodies of such lands are found, they are either eliminated from the Forest or are listed with the Secretary of the Interior, to be opened to entry under the Forest homestead act. The bulk of the agricultural land in the National Forests occurs as scattered individual tracts along streams, the bottom of ravines and swales, and on narrow benches and on the base of slopes. These scattered tracts, which may be used to build up a home, are sought out and settlement encouraged. Home seekers may apply for tracts which may seem to them to offer the opportunity for a farm. These areas applied for are given the preference in the classification work, and are examined as expeditiously as possible. If found chiefly valuable for agriculture and not needed for public purposes, they are listed with the Secretary of the Interior to be opened to entry.

The use and occupancy of the agricultural lands in the Forests is desired from every standpoint. Every added home helps in the upbuilding of the country. The Forests are to serve the people in the permanent development of homes and industries. In addition, the settler is a great help—practically a necessity—in the protection and development of the Forest itself. Every strip of cleared land is a fire break; every ranch is a vantage point to prevent and fight fires; every settler may become a Forest protector.

ADDITIONAL HOMESTEAD RIGHTS TO CERTAIN SETTLERS.

The act also gives an additional homestead right of entry upon lands which have been listed as chiefly valuable for agriculture, to settlers upon such lands on January 1, 1906, who, prior to the passage of the act, had exercised or lost their homestead rights, but who are otherwise competent to enter under the

homestead laws. Such entrymen must comply with the provisions of the homestead law and must in addition pay $2.50 per acre for the lands entered.

SQUATTERS' SPECIAL PRIVILEGES.

Squatters who settled upon unsurveyed land before its withdrawal for a National Forest and who have complied with the general homestead law have the same right to occupy and use their holdings as homestead entrymen, and may, at their option, await survey or apply for the examination of their lands under the act of June 11, 1906. Squatters who settled on unsurveyed National Forest land after its withdrawal but prior to January 1, 1906, may apply for the examination of their lands under this act; but application for listing must be made within 30 days after notification by the Forest Service. Upon the acceptance of their applications for listing, squatters who settled on unsurveyed National Forest land prior to January 1, 1906, may occupy their tracts without permit pending the opening of the land to entry under this act. Squatters may, under the general homestead law, include in their claims 160 acres after the land is surveyed. Therefore if the land is occupied for agricultural purposes by squatters who settled upon it prior to its withdrawal, the examination will be made with a view to listing the entire tract settled upon, if not exceeding 160 acres, provided the whole tract as a farm unit is chiefly valuable for agriculture.

NO SETTLEMENT BEFORE OPENING.

This act does not authorize any settlements within National Forests, except upon lands which have been opened to settlement under its provisions.

OPENING LANDS TO ENTRY.

While the Secretary of Agriculture may list agricultural lands of any area within National Forests, such lands will be opened to entry by the Secretary of the Interior in contiguous tracts not exceeding 160 acres in area and not exceeding 1 mile in length. Any tract not exceeding 160 acres contained within a square mile, the sides of which extend in cardinal directions, is within the meaning of the phrase "1 mile in length." A list of the lands opened to entry is posted in the local land office and is published for a period of not less than four weeks in a local newspaper.

PREFERENCE RIGHTS OF SETTLEMENT AND ENTRY.

The act provides that the person upon whose application the land is examined and listed, if a qualified entryman, shall have the preference right of entry, unless there was a bona fide settler on the land prior to January 1, 1906, who has not abandoned the same, in which event the settler, if a qualified entryman, shall have the preference right. To exercise this preference right, application to enter must be filed in the local land office within 60 days after the filing of the list in that office.

FILING IN LOCAL LAND OFFICE.

Persons having preference rights under the act of June 11, 1906, may file their entries at the local land office at any time within 60 days after notice is published that the land has been listed in the local land office and before the land is open to entry. If, when the land is open to entry, the applicant having a preference right has failed to file his entry, it will be subject to entry by the first qualified person to make application at the local land office. Except as expressly provided in the act, title to the land may then be acquired under the same conditions as are prescribed by the general homestead laws for public land outside the National Forests. (See also "Permits on Forest homesteads," p. 69.)

THREE-YEAR RESIDENCE SUFFICIENT.

Final proof of an entry under this act may be made in accordance with the provisions of the three-year homestead entry law.

OCCUPANCY UNDER SPECIAL USE PERMIT NOT RESIDENCE.

The Secretary of the Interior, by letter of January 12, 1910, ruled that the provision of section 1 of the act of June 11, 1906, which allows settlers credit for residence on lands covered by their entries, has reference to settlement initiated prior to the date of the act only, and that residence under permit issued by the Forest Service prior to the opening of the lands to settlement in the manner prescribed by the act is not occupancy of lands within the meaning of the homestead law and will not be credited as a part of the residential period required to secure patent.

APPLICATIONS FORWARDED TO DISTRICT FORESTER.

Applications for the examination and listing of agricultural land under the Forest homestead act should be addressed to and filed with the district forester (see location of district headquarters, p. 16), and, when received by forest rangers or forest supervisors, will be immediately referred to the district forester. Forest supervisors and district rangers will furnish application blanks, Form 253, to prospective applicants upon request.

APPLICANT TO ACCOMPANY EXAMINER.

Whenever possible it is best for the applicant to see the examiner and discuss with him any facts which tend to establish the value of the land for forest or for agricultural purposes, and accompany him during the survey and examination. Since final action can be taken only by the Secretary of Agriculture, the examiner will not give the applicant any information regarding his recommendations. When the application covers unsurveyed land, and the description is somewhat indefinite, it is particularly desirable to have the applicant present when the survey and examination are made, in order that the examiner may be certain that he is examining the land for which the applicant intended to apply. When the applicant is present at the time of examination, and learns, upon the survey being made, that he has not described in his application the land for which he intended to apply, he may make an amended application, which must be addressed to and filed with the district forester, and a copy may be at once given to the examiner, who will then, without waiting for further instructions, examine and report upon the lands covered by the amended application.

SURVEY PLAT AND NOTICES ON UNSURVEYED LAND.

The law provides that any entryman desiring to obtain patent to any lands described by metes and bounds, entered by him under the provisions of this act, may, within three years of the date of making entry, file with the required proof of residence and cultivation a plat and field notes of the lands entered, made under the direction of the United States surveyor general, showing the boundaries of such lands, which shall be marked by monuments on the ground. A copy of the plat, together with a notice of the time and place of offering proof, must be posted in a conspicuous place on the land itself during the period prescribed by the law for the publication of the entryman's notice of intention to offer proof, and another copy posted in the local land office for a like period. Proof showing compliance with the provisions of the act of June 6, 1912 (37 Stat., 123), may be submitted after the expiration of three years from the date of establishing permanent residence.

SURVEY WITHOUT EXPENSE TO ENTRYMAN.

Under a cooperative plan effected between the Department of the Interior and the Department of Agriculture, the original listing survey may be made by a Forest officer designated by the surveyor general. Surveys made under this agreement, when approved, will be accepted as the final survey for the issuance of patent. Designated Forest officers may also make surveys for patent at the time when proof is to be offered. Such surveys are made without charge to the applicant. Application for survey should be made by letter to the supervisor of the Forest in which the homestead is located or to the district forester of the district.

FREE USE OF LANDS RECOMMENDED FOR LISTING.

Applicants who appear to have the preference right of entry under the act may secure without charge a permit for the agricultural use of that portion of the land which has been examined and which, in the opinion of the supervisor, is chiefly valuable for agriculture and not needed for public use, provided that the land is not adversely claimed under settlement made before its withdrawal, or after its withdrawal and before January 1, 1906.

Free permits for the occupancy and use of agricultural land which is recommended for listing will be issued only under the following conditions:

(1) When the applicant wishes to occupy the land which has been examined and favorably reported upon, pending its listing and opening to entry under the act of June 11, 1906.

(2) When the applicant is doubtful of the agricultural possibilities of the land and desires an opportunity to ascertain whether crops can be raised on it before using his homestead right.

When a strip of land for a road right of way has been excluded from an area recommended for listing, the applicant upon whose application land has been examined, or the entryman on the area listed, may be issued a free agricultural permit for the use of the excluded strip, so long as it is not needed for road purposes.

Free special use permits for the occupation of agricultural land are terminated when the land is listed.

REVIEW OR REEXAMINATION.

The determination of whether land applied for under the act of June 11, 1906, is chiefly valuable for agriculture is entirely a question of fact and raises no question of law which can be made the basis for an appeal. When an applicant believes that a rejection of his application by the district forester is not justified by the facts he may file with the district forester within 30 days after notice to him of the decision and the grounds therefor a petition for a review of the facts and, if necessary, for a reexamination of the land applied for. If the district forester adheres to his decision the applicant may file with the district forester within 30 days after notice of the second rejection of the application a petition to the Forester for a review of the decision and, if necessary, for a reexamination of the land applied for. If the Forester affirms the decision of the district forester the applicant may within 60 days after notice of the decision of the Forester and the reasons therefor file with the Forester a petition to the Secretary of Agriculture for a review of the case. All applications for review should be accompanied by affidavit of the applicant or of other competent witnesses fully stating the facts on which the applicant bases his contention that the land applied for is chiefly valuable for agriculture. The decision of the Secretary of Agriculture will be final.

INDIAN ALLOTMENTS.

REGULATION L-54. All applications by Indians for allotments of lands within the National Forests under section 31 of the act of June 25, 1910 (36 Stat., 853), which are submitted to the Secretary of Agriculture in order that he may determine whether the land applied for is more valuable for agriculture or grazing than for the timber found thereon must be made in the form prescribed by the regulations of the Secretary of the Interior governing Indian allotments on National Forests. (Issued April 25, 1913, to take effect May 1, 1913.)

TOWN SITES.

Lands in National Forests embraced in valid settlements, made before the withdrawal of the land from entry and the creation of the Forest, may, unless abandoned, be entered and patented under the town-site laws without regard to the period which has elapsed after their settlement or after the establishment of the Forest and without the necessity of eliminating the town-site area from the National Forest.

When it is desired to establish a new town on lands within a National Forest under the town-site laws a petition should be addressed to the district forester. An investigation will be made under his direction to ascertain whether it is necessary to use the lands for town-site purposes. An approved area will be excluded from the National Forest by Executive order to enable the applicants to proceed under the town-site laws and the regulations of the Department of the Interior.

SPECIAL USES.

REGULATIONS.

REGULATION L-31. All uses of National Forest lands and resources, except those specifically provided for in regulations governing water power, timber sales, timber settlement, the free use of timber, and grazing, will be designated "special use." Permits for special uses, except for the excavation of antiquities under the act of June 8, 1906, and except for the lease of lands under the act of February 28, 1899, may be granted, extended, and renewed by the Forester, the district forester, or the forest supervisor, with such conditions as to area, time, charges, and other requirements as may be provided for by these regulations or as may be deemed necessary to protect the National Forests. Permits for the excavation of antiquities and for the lease of lands under the act of February 28, 1899, will be granted and revoked only by the Secretary of Agriculture. Permits for sale of wild hay may be granted by Forest officers designated by the forest supervisor. Special-use permits, except for the excavation of antiquities, and except for the lease of lands under the act of February 28, 1899, may be revoked by the Forester or the district forester and not by the supervisor. Applications for permits for special uses shall be made to the supervisor of the Forest within which the lands or resources are situated. Appeal will lie in the first instance to the district forester, from his decision to the Forester, and from his decision to the Secretary of Agriculture in all matters covered by these special-use regulations. (Issued March 18, 1911, to take effect May 1, 1911.)

REGULATION L-32. No charge will be made for the following classes of special-use permits:

(a) Excavation of antiquities under the act of June 8, 1906.

(b) Agricultural use by applicants having preference rights under the act of June 11, 1906.

(c) Schools, churches, and cemeteries.

(d) Cabins for use of miners, prospectors, trappers, and stockmen in connection with grazing permits, provided that stockmen's cabins used during the entire year as headquarter ranches will be classified as residences and charged for accordingly.

(e) Corrals, stock tanks, and drift fences in connection with grazing permits.

(f) Dipping vats where no toll is charged.

(g) Inclosures allowed under Regulation L-37.

(h) Sawmills sawing principally timber obtained from the National Forests.

(i) Conduits and reservoirs for irrigation or mining or municipal water supplies.

(j) Roads and trails (which must be free public highways).

(k) Logging railroads and tramways hauling timber obtained principally from the National Forests.

(l) Telephone lines with free use and free connection by Forest Service.

(m) Telegraph lines with free use of poles for stringing Forest Service telephone lines.

(n) Stone, earth, and gravel used for projects constructed under permit.

(p) Small advertising signs which also serve as guideposts.

(Issued March 18, 1911, to take effect May 1, 1911; as amended October 21, 1912.)

REGULATION L-33. The occupancy and use of National Forest land or resources under a special-use permit, except as provided in Regulation L-32, shall be conditioned upon the payment of a charge, which, unless otherwise authorized by the Secretary of Agriculture, shall be based upon the following rates:

Kinds.	Rates per annum.	Explanation.
Agricultural	$0.25 to $1 per acre; not under $2 for any permit.	Not over 160 acres to any one permittee. (Free to preferred applicants under act of June 11, 1906.)
Apiaries	Minimum, $5; 10 cents per hive for each hive over 50; hives to be counted in March each year.	1 to 3 acres.
Cabins	$3 to $5	1 acre or less. (Free to trappers, miners, and prospectors, and to stockmen in connection with grazing permits.)
Dipping vats (toll vats)	$10 to $20	2 acres or less.
Gravel	$0.02 per cubic yard; not under $2 for any permit; special rates on area basis.	Free for projects constructed under permit.
Hay cutting	$0.20 to $0.50 per acre; not under $2 for any permit.	
Hotels and road houses	$10 to $50	1 to 3 acres.
Limekilns	$10	1 acre.
Pastures	$0.04 to $0.25 per acre; not under $2 for any permit.	Not over 320 acres to any one permittee. (Charge is in addition to regular grazing fee.)
Railroads	$5 per mile	No charge for logging railroads hauling timber obtained principally from the National Forests.
Residences	$5 to $25	1 to 3 acres.
Resorts	$10 to $50	1 to 3 acres.
Sawmills, under 20,000 feet per day, sawing principally private timber.	$10	1 to 10 acres. (No charge for mills sawing principally Government timber.)
Sawmills, over 20,000 feet per day, sawing principally private timber.	Special rates	
Slaughterhouses	$10 to $20	1 to 3 acres.
Stage stations	$5 to $15	2 acres or less (without hotel features).
Stores	$5 to $50	2 acres or less.
Tramways (aerial)	$10 to $50	No charge for tramways conveying timber obtained principally from the National Forests.

Within the maximum and minimum rates established herein the forest supervisor will determine the rate to be charged in each case.

Rates for special uses not herein provided for shall be determined by the district forester in each case, and such rates shall be consistent with the rates herein established for similar special uses.

Compensation for the use of lands under the act of February 28, 1899, for hotels and dwellings adjacent to mineral and medicinal springs shall be determined by the Secretary of Agriculture.

In case of abandonment and issuance of new permit any payments made upon the original permit may apply on the new permit, in the discretion of the district forester. (Issued March 18, 1911, to take effect May 1, 1911; as amended February 18, 1913.)

REGULATION L-34. In serious emergencies for the protection of life or property National Forest material may be taken without previous permit, provided a permit for the material so used and for the special use involved is subsequently secured at the earliest opportunity. (Issued March 18, 1911, to take effect May 1, 1911.)

REGULATION L-35. The forest supervisor may, in his discretion, issue permits to any road district, county, person, or corporation for the free use of timber, stone, and other National Forest products for the construction and maintenance of roads or trails within National Forests, without prejudice to any free-use application they may make in the same year for material for other purposes, when such roads or trails are of sufficient public benefit to justify the free use. When the public benefit does not justify such free use the permittee must pay for all merchantable timber cut or destroyed upon the lands occupied under permit, under timber-settlement regulations, or if timber outside such lands is required, under timber-sale regulations. (Issued March 18, 1911, to take effect May 1, 1911.)

REGULATION L-36. Wagon roads over National Forest lands may be constructed, changed, widened, or repaired without permit by States or counties. With this exception, permits are necessary for the construction of all wagon roads over such lands. Trails may be constructed without formal permit if

done with the consent and under the supervision of a Forest officer, except that in the National Forests of Alaska such consent and supervision will not be required. No toll shall be charged for the use of roads or trails over such lands, constructed under the authority of the Secretary of Agriculture, and the same shall be open to free public use at all times. (Issued March 18, 1911, to take effect May 1, 1911.)

REGULATION L-37. Persons who own or have leased from the owners unfenced lands adjoining National Forest lands may, upon waiving their right to the exclusive use of such private land and allowing it to remain open to other stock grazed on National Forest lands under permit, be permitted without charge to inclose and use not to exceed 320 acres of National Forest land, when such an arrangement will be advantageous to the administration of the National Forest.

The application must be accompanied by a personal certificate of title showing the description and ownership of the land, and if leased from an owner, a copy of the lease, and must describe the National Forest land it is desired to occupy. Permits will be subject to the same restrictions as those issued under other regulations. (Issued March 18, 1911, to take effect May 1, 1911.)

HOW TO APPLY FOR SPECIAL-USE PERMIT.

An application for a special-use permit need not be in any prescribed form but may be made orally or by letter to the supervisor of the Forest or the ranger of the district concerned.

The Forest officer will need to know:

(1) The kind of use for which a permit is desired.

(2) The approximate location which the applicant desires to occupy. This may be expressed by forty, section, township, and range, or by description with reference to a road, trail, stream, or well-known landmark. A right of way may be described by giving the location of the terminal points, the direction in which it extends, and, if possible, the subdivisions of survey to be crossed by it.

(3) The date when the applicant desires to begin occupation or construction.

If the use is one for which a charge is made, the applicant will receive, with the permit, a form letter of transmittal showing the amount of money due. This letter should be forwarded promptly, with a money order or draft for the sum stated, to the United States depository named in the form.

BONDS.

As a general rule, bonds will not be required in connection with special-use permits.

Because of the danger from fire or from stream pollution, an exception to this rule is made in the case of steam sawmills, and bonds will be required as follows:

Little danger	$300
Considerable danger	500
Great danger	1,000

TENURE OF PERMITS.

There is no law authorizing the lease of National Forest lands for a term of years, except the act of February 28, 1899 (30 Stat., 908), providing for the lease of lands adjoining mineral springs, but permits to occupy National Forest lands for any purpose not inconsistent with their administration may be issued for an indefinite period, and will ordinarily remain in force until abandoned or canceled. All special-use permits issued by supervisors are terminable at any time in the discretion of the district forester.

ANCIENT RUINS AND RELICS.

Appropriating, excavating, injuring, or destroying any historic or prehistoric ruin or monument or any object of antiquity without permit is prohibited by specific act of Congress.

Special-use permits for the purpose of examining ruins, excavating archæological sites, or gathering objects of antiquity on National Forest lands may be obtained without charge, but are subject to special rules and regulations. (See National monuments, p. 80.)

HOTELS AND DWELLINGS ADJACENT TO MINERAL SPRINGS.

Areas adjacent to mineral or medicinal springs suitable for the erection thereon of sanitariums, hotels, or temporary dwelling houses may be leased, under the act of February 28, 1899 (30 Stat., 908), for such periods and upon such terms as to duration and compensation as may be approved by the Secretary of Agriculture.

SPECIAL USE ON ADMINISTRATIVE SITES.

National Forest lands selected for administrative purposes may be used, under special-use permits, as any other National Forest lands, as long as the special use does not prevent or interfere with the administrative use. Prospecting which does not interfere with administrative use is allowed without formal permit.

TELEPHONE AND TELEGRAPH LINES.

Special-use permits are necessary for the construction and operation of all telegraph and telephone lines on National Forests, even though they may be built along county roads. An easement may be obtained, or not, as desired. (See Easements, p. 70.)

SPECIAL USES ON CLAIMS.

The owner of an unperfected claim will be required to obtain a permit for any use of the land which is not in furtherance of the purposes for which the land was appropriated. Such a case would be the erection of a summer resort on a mining claim. No permit will be granted another person to occupy any part of any unabandoned claim until the consent of the claimant to such use is obtained. In both cases the permit will be conditioned on the payment of the charges fixed by Regulation L–33 (p. 66).

PERMITS ON FOREST HOMESTEADS.

All persons who settled on agricultural lands in National Forests before January 1, 1906, and have not abandoned their claims, may, if qualified, perfect title under the Forest homestead act, and in the meantime may occupy and enjoy their holdings without permit. Other applicants under the act, who appear to have the preference right of entry under that act, may be issued permits without charge for the agricultural use of so much of the land applied for as, in the opinion of the supervisor, is chiefly valuable for agriculture, provided that the land is not adversely claimed under settlement made before its withdrawal, or after its withdrawal and before January 1, 1906.

DRIFT FENCES.

Drift or division fences may be allowed under permit when they will facilitate National Forest administration, and will not interfere with the full use of the range by all who are equitably entitled to it.

Free use of materials.

Whenever drift fences are needed for the better control of stock grazed under permit, all forest material needed for use in their construction may be furnished from the National Forest free of charge, and in cases where the circumstances justify it the necessary wire and staples may also be furnished, if the stockmen using the range are willing to construct such fences with the understanding that they will become the property of the United States.

CORRALS.

Permits for corrals covering an area of not more than 1 acre may be issued without charge when necessary for the proper handling of permitted stock.

PASTURES.

The construction of inclosures may be allowed when necessary for the proper handling of permitted stock. Only such area, not to exceed 320 acres, shall be allowed as is necessary in each individual case. Pasture permits allow exclusive possession during the entire year, but do not convey the right to graze stock within the inclosure, except in connection with and during the period covered by the grazing permit. Stock exempt from fee may be allowed to graze within a pasture during the yearlong period.

Inclosures will be allowed:

(*a*) To pasture saddle horses, milch or work animals, graded or pure-bred stock, and bulls or rams.

(*b*) To pasture beef or stock cattle which are being gathered and held just previous to their removal from the Forest, and to pasture calves which are being weaned.

(*c*) To give settlers who live upon lands either within or on the border of a National Forest the exclusive use of adjoining pasture lands during the portion of the year when needed for protection against other stock.

(*d*) Without charge in exchange for a waiver of exclusive use of private lands adjoining National Forest lands when such an arrangement will be advantageous to the administration of a National Forest. (See Reg. L–37.)

STOCK TANKS.

Permits for the construction of stock watering tanks may be issued free of charge to grazing permittees, provided that all stock grazed under permit upon the range are allowed access to the water. The inclosure of not more than 40 acres in connection with the watering place may be allowed, for which the usual pasture charge will be made. The inclosure of existing sources of water supply will not be allowed.

GAME PRESERVES AND FISH CULTURE.

No permits will be issued for game preserves or any use of land which would result in preventing or restricting lawful hunting or fishing in National Forests.

Permits for the exclusive use of land for reservoirs for fish culture may be issued if the land applied for does not involve a natural lake or natural stream bed.

EASEMENTS.

The following rights of way, amounting to easements across National Forest lands are provided for by Congress and are under the jurisdiction of the Secretary of the Interior:

Railroad grants.

The act of March 3, 1875 (18 Stat., 482), in so far as it is extended over National Forests by the act of March 3, 1899 (30 Stat., 1214), grants rights of way for railroads.

Grants for irrigation works.

The act of March 3, 1891 (26 Stat., 1095), as amended by the act of May 11, 1898 (30 Stat., 404), grants rights of way across the public lands and National Forests for irrigation reservoirs and canals.

Grants for municipal and mining purposes.

Section 4 of the act of February 1, 1905 (33 Stat., 628), grants rights of way in National Forests for reservoirs, conduits, and water plants for municipal and mining purposes.

Applications filed in local land office.

All applications for rights of way under the foregoing acts must be filed in the proper local land office of the Department of the Interior.

RIGHTS OF WAY UNDER SPECIAL-USE PERMIT.

Rights of way can also be obtained from the Department of Agriculture under special-use permit. These can not be transferred and are terminable in the discretion of the Secretary. They usually cost much less, however, for surveys and maps.

APPLICANT MAY CHOOSE FORM OF PERMIT.

Application may be made for either an easement or a special-use permit, or for both, as the applicant may choose. The granting of an Interior Department right of way supersedes the permit issued by the Department of Agriculture. Either form of permit requires the applicant to enter into such stipulations and execute such bonds as the Forest Service may require for the protection of the National Forests.

WATER POWER.

The National Forests are situated chiefly within the mountainous sections of the West and have within their boundaries numerous streams of continuous large discharge on which are found sites for storage reservoirs. They therefore contain water powers of great value, the aggregate capacity of which is estimated at 12,000,000 horsepower.

POWER MAY BE DEVELOPED UNDER PERMIT.

Lands useful in connection with water-power development are open to occupancy for such purposes, and it is the policy of the department to encourage power development in so far as this can be done under conditions which safeguard the interests of the public. The right to occupy these lands with reservoirs, conduits, power-house sites, or other works may be obtained under the act of Congress approved February 15, 1901 (31 Stat., 790).

POLICY IN REGARD TO REVOCATION.

While this act expressly provides that any permit granted under it is subject to revocation at any time by the Secretary, nevertheless it is not the policy of the department to revoke permits within a period of 50 years if the permittee observes the conditions under which the permit is granted.

PURPOSE OF REGULATIONS.

Permits are granted under general regulations which the law authorizes the Secretary to make. Under these regulations the department seeks to prevent the appropriation of water-power sites for speculative purposes; to secure prompt and full development; to prevent monopoly; and to secure a reasonable compensation to the Government for the use of the land occupied and the beneficial protection given to the watershed.

HOW TO OBTAIN SPECIFIC INFORMATION.

The regulations and detailed instructions respecting the procedure that must be followed in order to obtain a permit may be obtained on application, either to the Forester or to any of the district foresters. (See list of district headquarters on p. 16.)

PART V.—PROTECTION OF THE NATIONAL FORESTS.

FIRE DANGER.

Fire is an ever-present danger on the National Forests. The great size of the Forests compared with the size of the patrolling force, the difficulty of reaching remote areas across miles of wilderness, the dry air and light rainfall in parts of the West, the prevalence of lightning in the mountains, and the constant use of fire in the daily life of the people and in the industries all combine to make the hazard exceptional.

Among the chief causes of fire are railroads, lightning, campers, slash burning, incendiarism, and steam sawmills. The great fires of August, 1910, which swept northern Idaho and western Montana, destroyed many millions of dollars worth of timber and 85 human lives and cost the United States $839,000 for fire fighting. Like all other great conflagrations, these began with small fires which were fanned into fury by gales of wind. A small fire may at any time spread into a conflagration, and fires, matches, and burning tobacco should be used as carefully in the forest as they are in the home. Carelessness in this respect may mean the loss of lives, homes, stock, and forage, and of a vast amount of timber which belongs equally to all citizens.

Fires may start in a region remote from supplies and water and reach vast proportions before a party of fire fighters can get to the scene, no matter how promptly the start is made. By far the best plan, therefore, is to prevent fires rather than to depend upon fighting them once they start. This subject has been given the most earnest attention by the Forest Service. During the danger season the main attention of supervisors and rangers is devoted to preventing fire. Extra men are employed, the Forests are systematically patrolled, and a careful lookout maintained from high points. Roads and trails are so built that every part of the Forest may be quickly reached with pack animals. Tools and food for fire fighters are stored at convenient places. The ranger stations and lookout points are connected with the offices of the supervisors by telephone, so that men may be quickly assembled to fight a dangerous fire which the patrolman can not subdue alone.

The cooperation of all Forest users is earnestly sought in the work of preventing fire by informing the nearest forest supervisor or ranger of any fire which may be discovered.

FIRE TRESPASS.

REGULATION T-1. The following acts are prohibited on lands of the United States within National Forests:

(a) Setting on fire or causing to be set on fire any timber, brush, or grass: Provided, however, That this regulation shall not be construed to prohibit the building of necessary camp fires or other fires for domestic or manufacturing purposes.

(b) Building a camp fire in leaves, rotten wood, or other places where it is likely to spread, or against large or hollow logs or stumps, where it is difficult to extinguish it completely.

(c) Building a camp fire in a dangerous place, or during windy weather, without confining it to holes or cleared spaces from which all vegetable matter has been removed.

(d) Leaving a camp fire without completely extinguishing it. (Issued August 5, 1911, to take effect September 1, 1911.)

The act of June 4, 1897, authorizes the Secretary of Agriculture to make rules and regulations for the protection of the National Forests and provides

that any violation of such rules and regulations shall be punishable by a fine of not more than $500, or imprisonment for not more than 12 months, or both. The Secretary, in the exercise of this authority, promulgated Regulation T-1 to insure care with fires and thus protect National Forest resources.

Section 52 of the act of March 4, 1909 (35 Stat., 1088), provides a fine of not more than $5,000, or not more than two years' imprisonment, or both fine and imprisonment, for willfully setting on fire or causing to be set on fire any timber, underbrush, or grass upon the public domain or for leaving or suffering a fire to burn unattended near any timber or other inflammable material.

Section 53 of the same act provides a fine of not more than $1,000, or not more than one year's imprisonment, or both fine and imprisonment, for failure to totally extinguish a fire built in or near any forest, timber, or other inflammable material upon the public domain before leaving it.

Offenders can be prosecuted under either of these acts. The United States, having all of the legal remedies of a private citizen, can, in addition to criminal prosecution, bring civil suit to recover damages for loss by fire.

INNOCENT AND WILLFUL TRESPASS.

Cases in which fire spreads after all reasonable precautions are taken, or where the fire is entirely the result of accident, will be considered innocent, and only actual or compensatory damages will be demanded.

All cases where fires are set maliciously, or allowed to spread through gross carelessness or neglect, or in violation of any Federal or State law, are willful, and criminal prosecution will be instituted as well as action for damages.

DESTRUCTION OF TIMBER NOT THE ONLY DAMAGE.

It is evident from the purposes and uses of the National Forests that the destruction of mature standing timber is not the only actual damage done by fire for which compensation may be claimed. Injury or destruction of smaller trees, fit for posts or fuel, young seedlings or saplings of all species, forage, and the productivity of the soil are all losses which the courts have recognized. Damage to a watershed is a loss no less real but more difficult to estimate.

REWARDS.

Provided Congress continues to make the necessary appropriation or authorize the payment thereof, the Department of Agriculture will pay the following rewards:

First. Not exceeding $250 and not less than $50 for information leading to the arrest and conviction of any person, in any United States court, on the charge of willfully and maliciously setting on fire, or causing to be set on fire, any timber, underbrush, or grass upon the lands of the United States within a National Forest.

Second. Not exceeding $100 and not less than $25 for information leading to the arrest and conviction of any person, in any United States court, on the charge of building a fire on lands of the United States within a National Forest, in or near any forest timber or other inflammable material, and leaving said fire before the same has been totally extinguished.

These rewards will be paid to the person or persons giving the information leading to such arrests and convictions upon presentation to the Department of Agriculture of satisfactory documentary evidence.

All officers and employees of the Department of Agriculture are barred from receiving reward for information leading to the arrest and conviction of any person or persons committing either of the above offenses.

The Department of Agriculture reserves the right to refuse payment of any claim for reward when, in its opinion, collusion or improper methods have been used to secure the arrest and conviction thereunder and to allow only one reward where several persons have been convicted of the same offense or where one person has been convicted of several offenses, unless the circumstances entitle the claimant to a reward on each such conviction.

Application for reward should be forwarded to the Forester, Washington, D. C., but a claim will not be entered unless presented within three months from the date of conviction of an offender.

In order that all claimants for reward may have an opportunity to present their claims within the prescribed limit, the department will not take action for three months from date of conviction of an offender. The above is applicable to offenses committed since July 1, 1910.

COOPERATION IN ENFORCING STATE FIRE LAWS.

REGULATION G. A.–6. All Forest officers will cooperate with State officials, so far as practicable, to enforce State laws for the prevention and extinguishment of forest fires. When authorized to do so by the proper State officers, they will, without additional pay, act as fire wardens with full power to enforce the local laws. (Issued August 12, 1912.)

FIRE-PROTECTION COOPERATIVE AGREEMENTS.

REGULATION G. A.–7. The Forest Service shall, whenever possible, and is hereby authorized to, enter into such agreements with private owners of timber, with railroads, and with other industrial concerns operating in or near the National Forests as will result in mutual benefit in the prevention and suppression of forest fires: Provided, That the service required of each party by such agreements shall be in proportion to the benefits conferred. (Issued August 12, 1912.)

TIMBER TRESPASS.

REGULATION T–2. The following acts are prohibited on lands of the United States within National Forests:

(a) The cutting, killing, destroying, girdling, chipping, chopping, boxing, injuring, or otherwise damaging, or the removal of any timber or young tree growth, except as authorized by law or regulation of the Secretary of Agriculture.

(b) The damaging or cutting, under any contract of sale or permit, of any living tree before it is marked or otherwise designated for cutting by a Forest officer.

(c) The removal from the place designated for scaling, measuring, or counting of any timber cut under contract of sale or permit until scaled, measured, or counted and stamped by a Forest officer.

(d) The stamping, except by a Forest officer, of any timber belonging to the United States, either with the regulation marking tools or with any instrument having a similar design: Provided, That timber lawfully cut from public land, which is subsequently included within a National Forest, may be removed within a reasonable time after the inclusion of such land in a Forest: Provided further, That the term "timber" as used in this regulation shall be deemed and taken to mean trees of a character or sort that may be used in any kind of manufacture or the construction of any article or for fuel. (Issued August 5, 1911, to take effect September 1, 1911.)

TIMBER DEPREDATIONS ON NATIONAL FORESTS.

Section 50 of the act of March 4, 1909 (35 Stat., 1088), as amended by section 6 of the act of June 25, 1910 (36 Stat., 857), makes it a criminal offense, punishable by a fine of not more than $500, or imprisonment for not more than one year, or by both fine and imprisonment, to unlawfully cut, or aid in unlawful cutting, or to wantonly injure or destroy, or procure to be wantonly injured or destroyed, any tree, growing, standing, or being upon any land of the United States which has been reserved or purchased for any public use.

BOXING TIMBER FOR TURPENTINE, ETC.

By section 51 of the penal code (act of March 4, 1909, 35 Stat., 1088), the cutting, chipping, chopping, or boxing of any tree upon National Forest and other Government land, or upon any land covered by or embraced in any unperfected settlement, application, filing, entry, selection, or location, made under any law of the United States, for the purpose of obtaining from such tree any pitch, turpentine, or other substance, or knowingly encouraging, causing, procuring, or aiding in such cutting, chipping, chopping, or boxing, or buying, trading for, or in any manner acquiring the product so obtained with knowl-

edge that it was unlawfully obtained, is a criminal offense punishable by a fine of not more than $500, or imprisonment for not more than one year, or by both fine and imprisonment.

TIMBER CUTTING ON UNPERFECTED CLAIMS.

Timber can not be cut upon an unperfected claim beyond the extent necessary for its actual development or for uses not consistent with the purpose for which the claim was initiated, or from one mining claim for use upon another, where such use does not tend directly to develop the claim from which the timber is cut.

When National Forest timber is threatened with trespass, and no warning will serve to restrain the trespasser, an injunction may be obtained to protect National Forest interests.

INNOCENT AND WILLFUL TRESPASS.

If, at the time the cutting was done, the trespasser, after the exercise of due diligence to ascertain from official sources the ownership of the land or his rights therein, was unaware that he was not lawfully entitled to the timber, the act will be considered an innocent trespass. If cutting occurs beyond the boundaries of patented land through bona fide mistake, or trespass has been committed on account of any other bona fide error of fact or in ignorance of the rights of the United States, the trespass will be considered an innocent one. Where these conditions do not exist, the trespass will be considered willful. While the men who do the actual cutting may legally be held for the trespass, proceedings will ordinarily be directed against the corporation, company, or individual by whose direction and for whose benefit the cutting was done. In civil cases the employer is liable for the willfulness of the employee, if he knew of the trespass and took no means to stop it, or, if after the trespass was committed, he knowingly approved it or adopted it by receiving the fruit of the trespass, or whenever he employed persons to do the cutting knowing them to be careless, reckless, and unreliable.

When the trespass is innocent, the measure of damage will be the value of the timber after it was cut at the place where it was cut.

Where the purchaser of timber cut in innocent trespass is held for damages, the measure will be the value of the timber after it was cut at the place where it was cut. If the timber is purchased from a willful trespasser, without knowledge of the trespass, the value will be determined as of the time of such purchase.

When the trespass is willful, the measure of damages will be the value of the timber in its condition when and where found. If, when a willful trespass is discovered, the trees are felled, the assessed damage will be the stumpage plus the cost of felling; if they are cut into logs, the cost of bucking will be added, and, if found at the mill, the cost of both bucking and hauling will be added. If the logs have passed through the mill the current value of the lumber will be the basis for assessing damages.

Where the purchaser of timber cut in trespass is held for damages, the measure will be the value of the material at the time and place it is found, if it was purchased from a willful trespasser with full knowledge that the timber was cut in trespass.

DAMAGE TO YOUNG GROWTH, ETC.

If in addition to the cutting and removal of Government timber, the trespasser, by careless felling or logging, has done avoidable damage to young growth or timber left standing, an estimate of the money value of this loss will be made and included in the assessed damages. Merchantable timber wasted in high stumps, long tops, or left in the woods will, of course, be included in the scale.

SEIZURE OF TIMBER CUT IN TRESPASS.

Seizure, or recaption, is the right of a person to retake his property in a peaceable manner wherever he finds it. Forest officers, as agents of the Government, may seize timber cut in trespass wherever found, even though it may be upon patented land at the time. If there is grave danger that the timber cut in trespass will be removed beyond recovery by the United States, all material belonging to the Government will be seized.

Timber cut in trespass may be seized, although manufactured into lumber and in the hands of an innocent purchaser and upon patented land. It is within the right of the United States to seize buildings or other improvements, either on Government or patented land, when such improvements are constructed wholly or in part from timber cut in trespass.

Where a trespasser wrongfully mingles Government timber or lumber with his own, either the whole mass may be seized and held until the amount lawfully owned by the claimant is proved by him, or, if the amount taken from the Government land is known, an equal amount of the commingled mass may be seized.

The forest officer making the seizure will post notices on the material seized and the trespasser and any witnesses to the act will be warned against its removal.

Material seized will not be stamped "U. S." until the case is settled and the material released.

GRAZING TRESPASS.

REGULATION T–3. The following acts are prohibited:

(a) The grazing upon or driving across any National Forest of any live stock without permit, except such stock as are specifically exempted from permit by the regulations of the Secretary of Agriculture, or the grazing upon or driving across any National Forest of any live stock in violation of the terms of a permit.

(b) The grazing of stock upon National Forest land within an area closed to the grazing of that class of stock.

(c) The grazing of stock upon an area withdrawn from use for grazing purposes to protect it from damage by reason of the improper handling of the stock, after the receipt of notice from an authorized Forest officer of such withdrawal and of the amendment of the grazing permit. (Issued August 5, 1911, to take effect September 1, 1911.)

REMOVAL OF STOCK.

Upon the discovery of grazing trespass the owner of trespassing stock will be ordered to remove it at once, or, if the situation is urgent, the Forest officer may remove the stock in any way that does not injure it physically.

Permitted stock may be removed from any portion of the Forest not allotted to it, but the permit can not be canceled or the stock removed from the area allotted to it without authority from the district forester.

Forest officers may drive unpermitted stock from any portion of the Forest upon discovery of its presence, or they may allow the owner or herder a reasonable time to remove it; but if he refuses to do so the person in charge of the stock may be arrested and the stock removed from the Forest by the Forest officers.

OCCUPANCY TRESPASS.

REGULATION T–4. The following acts are prohibited:

(a) Squatting upon National Forest land or making settlement thereon, except in accordance with the act of June 11, 1906, entitled "An act to provide for the entry of agricultural lands within forest reserves."

(b) Constructing or maintaining any kind of works, structure, fence, or inclosure; conducting any kind of business enterprise or carrying on any kind of work on National Forest land without a permit, except as otherwise allowed by law or regulation, and except upon a claim for the actual use, improvement, and development of the claim consistent with the purposes for which it was initiated.

(c) The willful tearing down or defacing of any notice of the Forest Service posted within a National Forest.

(d) Having or leaving in an exposed or insanitary condition on National Forest lands camp refuse or débris of any description, or depositing on National Forest lands, or being or going thereon and depositing in the streams, lakes, or other waters within or bordering upon the National Forests any substance or substances which pollute or are liable to cause pollution of the said streams, lakes, or waters.

(e) The going or being upon lands of the United States within a National Forest with intent to destroy, molest, disturb, or injure property belonging to

the United States, or used by the United States in the administration of the National Forests. (Issued August 5, 1911, to take effect September 1, 1911; paragraph (d) being an amendment of December 11, 1911, and paragraph (e) an amendment of August 6, 1912.)

WHAT CONSTITUTES OCCUPANCY TRESPASS.

The use of the National Forest land without permit for any purpose for which special-use permits are required constitutes occupancy trespass. Traveling, temporary camping, hunting, surveying, or prospecting may be carried on without permit, and camp wood and forage for stock used in connection with such projects may be taken free of charge.

Since the United States has all the civil rights and remedies for trespass possessed by private individuals, it may bring action to recover damages resulting from trespass or breach of contract.

ACTION TO STOP TRESPASS.

If the trespasser is engaged in constructing any building or other structure on National Forest land, he will be notified by a written order to suspend work. In aggravated cases it is within the authority of a ranger to seize improvements constructed on National Forest land.

PROPERTY TRESPASS.

The unauthorized appropriation, damage, or destruction of property of the United States used in the administration of the National Forests constitutes a trespass.

RECOVERY OF FOREST SERVICE PROPERTY.

Forest officers may, without special instructions, seize Forest Service property wrongfully taken wherever it is found. Seizure may be made when it can be done peaceably, and whenever necessary to prevent the Government property from being sold, damaged, destroyed, or removed beyond recovery.

BOUNDARY MARKS.

Destroying, defacing, changing, or moving any corner, meander post, monument, or bench mark, or cutting down any blazed line or witness tree on any Government line or survey is prohibited by specific act of Congress, providing a penalty of fine or imprisonment, or both.

The instructions require that the boundary lines of every Forest and the boundaries of private lands within the Forests shall be located and marked for the information of the public in order to prevent trespass and to simplify the administration of the Forest.

In timber the boundary lines are marked by blazes and Forest Service boundary posters. Boundary posters with the proper description are placed at all corners and at intersections with trails, roads, and streams, and ridges. The posters face outward from the Forest. In parks where there is no timber upon which the notices can be tacked posts are set. Stone monuments are often used and also printed and stenciled signs giving needful information.

Many thousands of miles of the most necessary parts of Forest boundary have been thus located and marked. The remaining portions will be marked as necessity arises, and as money and men become available.

SETTLEMENT OF TRESPASS CASES.

REGULATION T-5. The district foresters are authorized to settle all cases of innocent or unintentional civil trespasses where the total value of the Forest products injured, taken, or destroyed is not in excess of $100. (Issued August 5, 1911, to take effect September 1, 1911.)

REGULATION T-6. Settlement of all innocent or unintentional civil trespasses where the total value of the Forest products injured, taken, or destroyed is in excess of $100 will be effected by the Secretary of Agriculture. All willful civil trespasses, or those involving injury to the lands of the United States, separate and apart from the taking, injury, or destruction of Forest products, and all

criminal trespasses will be reported to the Secretary of Agriculture for reference to the Attorney General for action. (Issued August 5, 1911, to take effect September 1, 1911.)

CIVIL CASES.

A Forest officer, upon discovering a trespass, will take such immediate steps as are necessary to protect the National Forest or United States property from injury or loss, and report all the facts to the supervisor.

If the supervisor is of the opinion that trespass has been committed, he will, except in cases of property and criminal fire trespasses, inform the trespasser by registered mail, or in person, of the trespass, and that he will be allowed a definite time from receipt of notice in which to make a sworn statement of the circumstances of the trespass and his estimate of the damages sustained by the Government, and that such statement will be considered in the determination of the actual damages sustained by reason of the trespass.

Whenever practicable the supervisor will meet the trespasser and talk the matter over with him.

After consideration of the trespasser's statements the supervisor will supplement the Forest officer's report by his own findings as to the damage sustained by the Government, and particularly as to the innocence or willfulness of the trespass, and send both to the district forester, who will consult the legal adviser of the district.

If the case is one of innocent or unintentional trespass and the total value of the forest products injured, taken, or destroyed is not in excess of $100, the approval of the case for action by the law officer will be followed by the preparation of a letter to the trespasser. In this letter the district forester will inform the trespasser of the sum due the United States because of his trespass, as determined by him, and that, upon payment of this amount and the fulfillment of such conditions as may be necessary to protect the National Forest, the case will be closed. A letter of transmittal (Form 861) for the amount due, signed by the district forester, will accompany the letter. If after the expiration of a reasonable time the payment has not been received the entire case will be referred to the district legal adviser, who will write a second letter to the trespasser calling attention to his failure to pay the amount due. If the trespasser fails or refuses, after receipt of the second letter, to make settlement as required, the case will be forwarded to the Solicitor at Washington for submission to the Attorney General for the institution of civil suit.

CRIMINAL CASES.

Settlement of or institution of suit to recover damages resulting from a trespass in a National Forest does not bar a criminal prosecution for the trespass, and the Secretary of Agriculture can not accept settlement made on the condition that no such prosecution will be instituted; nor has the Secretary power to dismiss a pending prosecution.

ACTION WHERE ARREST IS NECESSARY.

In willful and flagrant cases where immediate action is necessary in order to protect the Forest from damage or to prevent the escape of the trespasser, the ranger will place the trespasser under arrest if he is detected in the act of committing trespass, or if not so detected will first procure a warrant for his arrest. He will immediately take the trespasser before the proper United States commissioner, swear to a complaint, and hold the trespasser for disposition according to the instructions of the commissioner. (See Authority of Forest officers, p. 18.)

PROTECTION OF WATER SUPPLY.

REGULATION G. A.-8. For the purpose of protecting water supplies of towns, cities, and irrigation districts, the use of National Forest lands will be restricted by the Secretary of Agriculture, with such conditions as to reservations from other uses of the land and to assistance to be given the Forest Service by the town or city in establishing special protective measures as may be deemed necessary or advisable. Such use will be granted under formal agreement between the Secretary of Agriculture and the properly authorized official of the town, city, or irrigation district. (Issued August 12, 1912.)

IMPORTANCE OF PROTECTION.

Undoubtedly the greatest value of the mountain ranges of the West, most of which are within National Forests, lies in their influence upon the regularity of the water supply. In many of the States the mountains afford the only water supply for domestic use, for irrigation, and for the development of power. The future development of the entire region, therefore, will depend upon the amount of water and the manner in which it flows from the mountains.

The vegetative covering has a very decided influence on run-off. For this reason Congress made the preservation of conditions favorable to stream flow one of the principal objects in the establishment and administration of the National Forests.

COOPERATIVE AGREEMENTS.

To insure the sufficiency and purity of the water supply of a municipality or of an irrigation district, or to prevent floods and snowslides, the use of watersheds for grazing, timber, special uses, or settlement will be specially restricted by the Secretary when such restriction is necessary. Applications for such restrictions should be made to the forest supervisor by city authorities or by petition of associations of interested citizens. The supervisor will submit a complete report upon application, paying particular attention to the need and reasonableness of the restrictive measures requested, and the effect which the proposed restrictions will have upon established industries.

The watersheds tributary to many of the larger western cities and towns are under special protection by the Forest Service. Under Regulation T–4 (D) it is possible to maintain such sanitary control of them as will greatly reduce the danger of typhoid and other enteric diseases.

STIPULATIONS IN PERMITS AND CONTRACTS.

It is the duty of every Forest officer before granting a permit for any use of the National Forests to consider its effect on the water supply, and when necessary to incorporate in the permit or contract stipulations which will afford protection from possible injury.

PROTECTION OF GAME, FISH, AND BIRDS.

REGULATION G–30. All Forest officers will cooperate with State or Territorial officials, so far as they can without undue interference with their regular Forest work, to enforce local laws for the protection of birds, fish, and game. When properly authorized to do so they will act without additional pay as deputy game wardens with full power to enforce local laws, but may not accept any fees or rewards or parts of fines on account of the enforcement of State game laws. Forest officers and employees may, however, accept any bounties voluntarily offered by any State or county or any association or individual for the destruction of predatory wild animals. (Issued April 25, 1913, to take effect May 1, 1913.)

Wild game adds materially to the enjoyment of the National Forests by the public, and the preservation of game animals, birds, and fish is a public duty. This duty, however, rests primarily with the State. It is incumbent upon the Forest Service, under the act of May 23, 1908, to render all reasonable assistance in the protection of game within the National Forests, but the Service must be governed in its enforcement of the game laws by the attitude of the State officials. Furthermore, such assistance must be subordinated to the regular protective and administrative work of the Forest Service.

GAME AND BIRD REFUGES.

Four different classes of game and bird refuges may be included within the National Forests: National game refuges, or areas in which the killing of game animals is prohibited by acts of Congress; national bird refuges, or areas in which the killing of birds is prohibited by acts of Congress; State game preserves, or areas in which the killing of game is prohibited by the legislature of the State or Territory; and protected areas, or areas closed to

the grazing of all classes of stock in order to protect game in its natural feeding or breeding grounds, but where hunting is allowed by the State laws. (See Protection of game, fish, and birds, p. 79.)

NATIONAL MONUMENTS.

The act of June 8, 1906, provides for the protection of objects of historic and scientific interest on lands controlled by the United States, and authorizes the President to create, by proclamation, National Monuments for their preservation. The act also authorizes the Secretary of the Interior, on behalf of the United States, to accept deeds of gift of privately owned lands containing such objects. Some of the objects which may properly be reserved under this act are cliff-dwellings, pueblo ruins, ancient rock paintings, unique topographic or geologic features, historic landmarks, or groves of rare trees in danger of destruction. When such objects are located within the boundaries of a National Forest, the Forest Service will confer with the Bureau of American Ethnology of the Smithsonian Institution regarding their historic or scientific interest before recommending their inclusion within a National Monument.

Under the act of Congress, National Monuments can be explored or occupied only under permit granted by the Secretary of the department having jurisdiction of the land. Permits may be issued for the examination of ruins, the excavation of archæological sites, and the gathering of objects of antiquity, to institutions properly qualified to carry on such work, provided the work is undertaken for the benefit of reputable museums, universities, colleges, or other recognized scientific or educational institutions, and that the collection shall be made for permanent preservation in public museums.

Copies of the uniform Rules and Regulations approved by the Secretary of War, the Secretary of the Interior, and the Secretary of Agriculture will be furnished upon application to the Forester, Washington, D. C.

PART VI.—COOPERATION, DIFFUSION OF INFORMATION, ETC.

ASSISTANCE TO PRIVATE OWNERS OF TIMBERLAND.

TECHNICAL ADVICE.

One of the principal means of assisting private owners is in the preparation and distribution of publications on forestry. When information contained in publications will not meet the exact needs of an owner the Forest Service endeavors to give him specific advice by correspondence, especially in regard to tree planting.

In a limited number of cases the Forest Service is prepared to supply owners with detailed advice regarding the practice of forestry based upon examinations of their tracts.

Applicants whom the Service can not help directly are supplied with a list of private or consulting foresters, and, if their State has a forester, with his name and address.

Owners who desire to obtain planting stock, either seeds or young trees, with which to reforest waste lands or establish farm wood lots or windbreaks, are supplied with lists of dealers in such stock.

The Forest Service can not assist owners in:

(1) Preparation of detailed estimates of standing timber and working plans for large commercial timber holdings.

(2) Preparation of scientific data or furnishing expert advice of any kind for use in litigation.

(3) Supervision of cutting or planting operations.

(4) Furnishing seed or planting stock, with the exception of residents in the Kinkaid district, Nebraska.

(5) The care of ornamental trees or groves, or the management of forests where the owner is chiefly interested in the landscape feature rather than in the practice of forestry for wood production.

(6) Procuring or disposing of stumpage in connection with large commercial operations, except National Forest stumpage.

Those who desire technical advice or assistance from the Forest Service should make application to the Forester at Washington, D. C., or to the nearest district forester, stating the kind of assistance desired.

COOPERATIVE EXAMINATIONS.

Cooperative examinations of private timberlands are restricted mainly to States not equipped to furnish their citizens with expert advice and to the smaller timber holdings within such States. The majority of tracts examined range in area from 5 to 300 acres.

Unless half a dozen or more examinations can be made at the same time, the expense incident to the work would scarcely be justified. As a rule an applicant is asked to interest several of his neighbors within the same or adjoining counties to make joint application with himself.

Cooperative examinations for private owners are made by the Service in accordance with the following terms:

The Forest Service pays the salary of its expert while engaged upon the examination. The owner pays his traveling and living expenses. Where several examinations are made within the same region, the total expenses are apportioned among the respective owners. Applicants for assistance are required to deposit in advance a sum sufficient to cover the estimated expenses, with the understanding that any unexpended balance of the deposit will be refunded at the completion of the work.

No examination will be made by the Forest Service unless the owner expresses a readiness to take definite steps toward improved management of his forest lands and agrees to carry out, as far as he finds practicable, the recommendations contained in the report prepared for him. It is also understood that the owner will furnish reports from time to time as requested by the Service on the work done, its cost, financial returns, and actual results.

COOPERATION WITH STATES, ETC.

In addition to direct cooperation with private owners, the Forest Service will make special cooperative arrangements, as far as its resources permit, with States, agricultural colleges, boards of trade, and similar organizations for the purpose of interesting small owners in the practice of forestry. Such cooperation may take the form of organizing forestry clubs among private owners or of furnishing an expert to conduct field examinations under the direction of the cooperator.

INVESTIGATIONS OF FOREST PRODUCTS.

The Forest Service maintains at Madison, Wis., a laboratory at which are conducted physical, mechanical, and chemical investigations of the properties of wood and other Forest products. Statistical studies are also made relating to the production, value, and uses of various woods. The aim is to promote the economical production and use of all Forest products.

COOPERATION WITH COMPANIES, ORGANIZATIONS, AND INDIVIDUALS.

The cooperation of the wood-using interests most directly concerned with the solution of the problems is sought.

The exact terms of cooperation and desirability of undertaking such cooperation will be determined for each specific case in accordance with the following general policy:

(1) Whenever practicable those especially interested in the investigation to be undertaken will furnish all or part of the material necessary for the work.

(2) Investigations of patented or proprietary processes, materials, or articles will be undertaken only when the results of the investigations are needed by the Service or will be of general public benefit.

(3) The design, construction, and operation of commercial plants in wood preservation, wood distillation, kiln-drying, or similar work may be undertaken, provided the plant is to be used, at least for a time, for experimental work for the purpose of gaining information of which the Service is in need. If the Service would gain no new information from the operation of such a plant its design, construction, and operation will not be undertaken, but all available information, including the designs and specifications for standard plants which may have been prepared, will be made accessible to the inquirer. In such cases the Service may also refer applicants to consulting engineers, and may indicate what should be the approximate cost of the plans and specifications desired, and when requested to do so may inspect such plans when prepared, and even at times detail a representative to demonstrate at the plant improved methods of operation.

(4) The Service may, on request, make examinations of the methods of individuals, companies, or corporations in handling Forest products, and prepare plans for the improvement of such methods, provided that the purpose of such work is primarily to reduce the waste in handling and utilizing Forest products and to obtain information that will be generally useful in the industry concerned. If no new information is likely to be obtained the applicant will be referred to a consulting expert.

(5) In cases of active cooperation, such as outlined in the two foregoing paragraphs, the Service will require payment of the estimated total cost, including supervision, but such cost will be reduced by the extent to which the work is experimental.

(6) In all work undertaken in cooperation with any company, organization, or individual the right to the first publication of the results will be reserved by the Forest Service.

PUBLICATIONS.

All of the scientific and investigative work done by the Forest Service which results in conclusions of value to the scientific world at large, the owner of timberland, the professional forester, or the woodworking and allied industries is recorded in bulletins and circulars. Publications of the Forest Service available for free distribution may be obtained by addressing the Forester, Forest Service, Washington, D. C. A list of such publications will be sent upon request.

Publications, the supply of which for free distribution is exhausted, may be purchased from the superintendent of documents, Government Printing Office, Washington, D. C., who will furnish free a list of such publications and their prices.

MAPS.

Special maps are issued for the use of Forest officers, or as special publications for the dissemination of information which can be best expressed graphically. Such maps are not for general distribution, though some are sold, and they may even be given away under certain circumstances. A general map of a National Forest may be given to a user when it is necessary or convenient to show thereon the lands covered by a transaction.

General maps of the United States showing the National Forests and related projects and data, unmounted, are sold by the superintendent of documents, Washington, D. C., at 50 cents each. A limited number of copies are retained in the Forest Service and furnished in some cases to State officers, State institutions, and libraries, where they will be accessible to the general public.

General continental or regional maps showing natural forest areas or the distribution of tree species are furnished to State institutions and to some first-class libraries. When more than one copy of a general map is requested, a charge will be made for each extra copy.

PHOTOGRAPHS.

The Forest Service has a large collection of photographs showing forest conditions in all parts of the United States.

The act of March 4, 1907, authorizes the disposal of photographic prints, including bromide enlargements, lantern slides, transparencies, blue prints, and forest maps for educational purposes, at cost and 10 per cent additional.

Photographic material is also prepared for outside distribution for the following purposes only:

(*a*) To cooperators and others from whom aid has been received or by whom courtesies have been extended in furtherance of official work.

(*b*) For use in illustrating material to be published in newspapers or other periodicals.

(*c*) For use in book illustrations.

(*d*) For use in educational work—by lecturers and schools, and for exhibit purposes.

The object in every case is to promote the work of the Forest Service or to diffuse information concerning forestry. As a rule gifts are restricted to cooperators or persons who have extended aid or courtesies in furtherance of official work; but when a valuable educational result can be attained only if material can be furnished free, gifts may be made.

When photographic material is to be sold it will be according to the following schedule of prices:

PHOTOGRAPHIC PRINTS.

Size, each.	Unmounted.	Mounted.
4 by 5	$0.06	$0.08
4½ by 6½	.07	.09
5 by 7	.08	.10
6½ by 8½	.11	.14
8 by 10	.17	.20

SOLAR BROMIDE MAPS.

Size of maps, each.	Unmounted.	Mounted on muslin.
11 by 14	$0.14	$0.20
14 by 17	.17	.25
20 by 24	.21	.34
28 by 34	.39	.58

Lantern slides, each	$0.35
Bromide enlargements, per square inch	.003
Bromide enlargements (sepis), per square inch	.004
Transparencies, per square inch	.015
Blue prints, per square foot	.04
Vandyke prints, per square foot	.08

Hand coloring will be done on lantern slides at 65 cents each, on bromides at 1 cent per square inch, and on transparencies at 2 cents per square inch.

EDUCATIONAL MATERIAL FOR SCHOOLS AND LIBRARIES.

Certain publications and maps suitable for use in schools may be obtained free on application to the Forester, or can be purchased in quantities from the superintendent of documents, Washington, D. C. A list of such material will be furnished upon request.

Traveling exhibits of 44 mounted photographs each, illustrating the subjects of forestry, the work of the Forest Service, etc., may be borrowed for short periods of time without cost, except for transportation, by schools, libraries, and other educational institutions.

LANTERN SLIDES.

Sets of lantern slides on forestry, the work of the Forest Service, and related subjects are loaned free for short periods of time, on condition that the borrowers pay for transportation and assume responsibility for loss or breakage. Outlines of subjects covered by these sets will be furnished by the Forester on request.

NATIONAL FORESTS—LOCATION, DATE, AND AREA, JANUARY 31, 1913.

State.	National Forest district No.	Forest.	Headquarters of supervisor.	Latest proclamation: Date effective.	Area.	Total.
					Acres.	*Acres.*
Arizona	3	Apache	Springerville	Feb. 17, 1912	1,276,400	
	3	Chiricahua [1]	Portal	July 1, 1910	360,000	
	3	Coconino	Flagstaff	do	1,634,000	
	3	Coronado	Tucson	June 19, 1912	999,400	
	3	Crook	Safford	Feb. 17, 1912	890,500	
	4	Dixie [2]	St. George, Utah	Feb. 10, 1909	606,200	
	4	Kaibab	Kanab, Utah	Aug. 23, 1910	1,093,600	
	3	Prescott	Prescott	Oct. 7, 1910	1,572,000	
	3	Sitgreaves	Snowflake	Feb. 17, 1912	893,720	
	3	Tonto	Roosevelt	Sept. 26, 1910	2,156,000	
	3	Tusayan	Williams	July 1, 1910	1,800,000	
	3	Zuni [3]	Albuquerque, N. Mex.	Feb. 17, 1912	57,410	
						13,339,390
Arkansas	3	Arkansas	Hot Springs	Sept. 26, 1910	1,262,390	
	3	Ozark	Harrison	Dec. 28, 1910	963,500	
						2,225,890
California	5	Angeles	Los Angeles	Nov. 25, 1910	1,265,300	
	5	California	Willows	Oct. 12, 1910	1,061,000	
	5	Cleveland	San Diego	Nov. 8, 1912	1,575,670	
	6	Crater [4]	Medford, Oreg.	July 1, 1911	61,100	
	5	Eldorado [5]	Placerville	July 28, 1910	835,800	

[1] Total of Chiricahua in Arizona and New Mexico=488,000 acres.
[2] Total of Dixie in Arizona and Utah=1,067,000 acres.
[3] Total of Zuni in Arizona and New Mexico=652,710 acres
[4] Total of Crater in California and Oregon=1,080,500 acres.
[5] Total of Eldorado in California and Nevada=836,200 acres.

National Forests—Location, date, and area, January 31, 1913—Continued.

State.	National Forest district No.	Forest.	Headquarters of supervisor.	Latest proclamation. Date effective.	Area.	Total.
					Acres.	*Acres.*
California—Con.	5	Inyo [1]	Bishop	Feb. 23, 1911	1,337,780	
	5	Kern	Bakersfield	Jan. 30, 1911	1,934,275	
	5	Klamath [2]	Yreka	June 21, 1912	1,688,720	
	5	Lassen	Red Bluff	Dec. 30, 1910	1,397,000	
	5	Modoc	Alturas	Dec. 23, 1910	1,578,200	
	5	Mono [3]	Gardnerville, Nev.	June 30, 1911	883,150	
	5	Monterey	Arbolado	Dec. 12, 1910	501,150	
	5	Plumas	Quincy	July 28, 1910	1,433,600	
	5	Santa Barbara	Santa Barbara	July 1, 1910	2,348,200	
	5	Sequoia	Hot Springs, Tulare County.	Feb. 17, 1912	1,191,840	
	5	Shasta	Sisson	June 19, 1912	1,586,880	
	5	Sierra	Northfork	July 1, 1910	1,743,000	
	6	Siskiyou [4]	Grants Pass, Oreg.	July 1, 1911	406,260	
	5	Stanislaus	Sonora	Oct. 12, 1910	1,136,500	
	5	Tahoe [5]	Nevada City	July 28, 1910	1,210,500	
	5	Trinity	Weaverville	June 7, 1912	1,746,020	
						26,921,945
Colorado	2	Arapaho	Fraser	Nov. 19, 1912	759,440	
	2	Battlement	Collbran	May 6, 1910	746,300	
	2	Cochetopa	Saguache	June 9, 1910	920,300	
	2	Colorado	Fort Collins	July 1, 1910	679,200	
	2	Durango	Durango	July 1, 1911	704,000	
	2	Gunnison	Gunnison	June 9, 1910	952,200	
	2	Hayden [6]	Encampment, Wyo.	Aug. 8, 1910	75,700	
	2	Holy Cross	Glenwood Springs.	Dec. 16, 1910	605,700	
	4	La Sal [7]	Moab, Utah	Mar. 16, 1909	30,500	
	2	Leadville	Leadville	Aug. 10, 1910	1,085,000	
	2	Montezuma	Mancos	Aug. 15, 1910	812,100	
	2	Pike	Denver	Aug. 10, 1910	1,323,000	
	2	Rio Grande	Monte Vista	Aug. 15, 1910	1,221,300	
	2	Routt	Steamboat Springs	Aug. 24, 1910	936,100	
	2	San Isabel	Westcliffe	May 27, 1910	651,200	
	2	San Juan	Pagosa Springs	July 1, 1911	745,000	
	2	Sopris	Aspen	Dec. 16, 1910	656,000	
	2	Uncompahgre.	Delta	Apr. 1, 1912	867,860	
	2	White River	Meeker	Oct. 17, 1912	877,990	
						14,648,890
Florida	3	Florida	Pensacola	July 1, 1911	674,970	
						674,970
Idaho	1	Beaverhead [8]	Dillon, Mont.	July 1, 1910	92,000	
	4	Boise	Boise	Dec. 24, 1910	1,107,000	
	4	Cache [9]	Logan, Utah	Jan. 24, 1912	269,922	
	4	Caribou [10]	Montpelier	May 6, 1910	695,000	
	4	Challis	Challis	July 1, 1908	1,194,000	
	1	Clearwater	Orofino	July 1, 1911	822,700	
	1	Coeur d'Alene.	Coeur d'Alene	do	760,800	
	4	Idaho	McCall	Mar. 23, 1912	1,209,280	
	1	Kaniksu [11]	Newport, Wash.	May 6, 1910	465,260	
	4	Lemhi	Mackay	July 1, 1910	1,136,500	
	4	Minidoka [12]	Oakley	May 6, 1910	539,050	
	1	Nezperce	Grangeville	July 1, 1911	1,745,060	
	4	Palisade [13]	St. Anthony	July 1, 1910	301,300	
	4	Payette	Emmett	July 1, 1911	863,750	
	1	Pend Oreille	Sandpoint	May 6, 1910	858,000	
	4	Pocatello [14]	Pocatello	Feb. 18, 1911 [15]	281,745	
	1	St. Joe	St. Maries	June 4, 1912 [16]	1,033,500	
	4	Salmon	Salmon	July 1, 1908	1,635,500	
	4	Sawtooth	Hailey	do	1,320,000	
	1	Selway	Kooskia	July 1, 1911	1,802,000	

[1] Total of Inyo in California and Nevada=1,413,110 acres.
[2] Total of Klamath in California and Oregon=1,697,920 acres.
[3] Total of Mono in California and Nevada=1,366,440 acres.
[4] Total of Siskiyou in California and Oregon=1,694,250 acres.
[5] Total of Tahoe in California and Nevada=1,272,470 acres.
[6] Total of Hayden in Colorado and Wyoming=442,470 acres.
[7] Total of La Sal in Colorado and Utah=470,500 acres.
[8] Total of Beaverhead in Idaho and Montana=1,457,000 acres.
[9] Total of Cache in Idaho and Utah=579,660 acres.
[10] Total of Caribou in Idaho and Wyoming=702,360 acres.
[11] Total of Kaniksu in Idaho and Washington=835,740 acres.
[12] Total of Minidoka in Idaho and Utah=631,330 acres.
[13] Total of Palisade in Idaho and Wyoming=557,500 acres.
[14] Total of Pocatello in Idaho and Utah=292,560 acres.
[15] Addition by act of Congress.
[16] This proclamation modifies the former proclamation, but the area remains unchanged until State selection is approved.

National Forests—Location, date, and area, January 31, 1913—Continued.

State.	National Forest district No.	Forest.	Headquarters of supervisor.	Latest proclamation. Date effective.	Area.	Total.
					Acres.	*Acres.*
Idaho—Contd	4	Targhee [1]	St. Anthony	July 1, 1910	738,000	
	4	Weiser	Weiser	July 1, 1911	680,460	
						19,550,827
Kansas	2	Kansas	Garden City	May 15, 1908	303,937	
						303,937
Michigan	2	Marquette	East Tawas	Feb. 10, 1909	31,843	
	2	Michigan	do	Feb. 11, 1909	131,928	
						163,771
Minnesota	2	Minnesota [2]	Cass Lake	May 23, 1908	294,750	
	2	Superior	Ely	Sept. 19, 1912	1,276,100	
						1,570,850
Montana	1	Absaroka	Livingston	June 19, 1912	987,710	
	1	Beartooth	Billings	Apr. 15, 1912	681,920	
	1	Beaverhead [3]	Dillon	July 1, 1910	1,365,000	
	1	Bitterroot	Missoula	Apr. 30, 1912	1,154,530	
	1	Blackfeet	Kalispell	June 19, 1912	1,067,090	
	1	Cabinet	Thompson Falls	Apr. 30, 1912	1,026,550	
	1	Custer	Miles City	June 19, 1912	512,810	
	1	Deerlodge	Anaconda	July 1, 1910	964,600	
	1	Flathead	Kalispell	June 19, 1912	2,088,720	
	1	Gallatin	Bozeman	Sept. 4, 1912	999,430	
	1	Helena	Helena	Sept. 4, 1912	920,480	
	1	Jefferson	Great Falls	Feb. 27, 1912	1,175,840	
	1	Kootenai	Libby	June 19, 1912	1,622,340	
	1	Lewis and Clark.	Chouteau	do	826,300	
	1	Lolo	Missoula	Apr. 30, 1912	1,192,610	
	1	Madison	Sheridan	Sept. 24, 1912	1,035,800	
	1	Missoula	Missoula	do	1,330,040	
	1	Sioux [4]	Camp Crook, S. Dak.	July 1, 1911	115,200	
						18,977,580
Nebraska	2	Nebraska	Halsey	July 2, 1908	556,700	
						556,700
Nevada	5	Eldorado [5]	Placerville, Cal.	July 28, 1910	400	
	4	Humboldt	Gold Creek	June 19, 1912	726,540	
	5	Inyo [6]	Bishop, Cal	Feb. 23, 1911	75,330	
	4	Moapa	Austin	Dec. 8, 1911	290,350	
	5	Mono [7]	Gardnerville	June 30, 1911	488,290	
	4	Nevada	Ely	Oct. 28, 1912	1,260,800	
	4	Ruby	Lamoille	June 19, 1912	433,570	
	4	Santa Rosa	Paradise	Nov. 3, 1911	299,990	
	5	Tahoe [8]	Nevada City, Cal.	July 28, 1910	61,970	
	4	Tolyabe	Austin	Dec. 10, 1910	1,963,100	
						5,595,310
New Mexico	3	Alamo	Cloudcroft	Feb. 17, 1912	941,790	
	3	Carson	Tres Piedras	do	1,123,400	
	3	Chiricahua [9]	Portal, Ariz	July 1, 1910	128,000	
	3	Datil	Magdalena	June 7, 1910	2,955,000	
	3	Gila	Silver City	May 9, 1910	1,000,000	
	3	Jemez	Santa Fe	Aug. 24, 1910	880,000	
	3	Lincoln	Capitan	Apr. 1, 1912	634,400	
	3	Manzano	Albuquerque	July 1, 1910	600,500	
	3	Pecos	Santa Fe	Apr. 20, 1910	715,500	
	3	Zuni [10]	Albuquerque	Feb. 17, 1912	595,300	
						10,173,890
North Dakota	1	Dakota	Camp Crook, S. Dak.	Nov. 24, 1908	13,920	
						13,920
Oklahoma	3	Wichita	Cache	Oct. 13, 1910	61,640	
						61,640
Oregon	6	Cascade	Eugene	July 1, 1911	1,097,760	
	6	Crater [11]	Medford	do	1,019,400	
	6	Deschutes	Bend	do	942,020	
	6	Fremont	Lakeview	do	852,000	
	5	Klamath [12]	Yreka, Cal	June 21, 1912	9,200	

[1] Total of Targhee in Idaho and Wyoming=823,450 acres.
[2] Minnesota National Forest created by act of Congress.
[3] Total of Beaverhead in Idaho and Montana=1,457,000 acres.
[4] Total of Sioux in Montana and South Dakota=211,580 acres.
[5] Total of Eldorado in California and Nevada=836,200 acres.
[6] Total of Inyo in California and Nevada=1,413,110 acres.
[7] Total of Mono in California and Nevada=1,366,440 acres.
[8] Total of Tahoe in California and Nevada=1,272,470 acres.
[9] Total of Chiricahua in Arizona and New Mexico=488,000 acres.
[10] Total of Zuni in Arizona and New Mexico=652,710 acres.
[11] Total of Crater in California and Oregon=1,080,500 acres.
[12] Total of Klamath in California and Oregon=1,697,920 acres.

National Forests—Location, date, and area, January 31, 1913—Continued.

State.	National Forest district No.	Forest.	Headquarters of supervisor.	Latest proclamation. Date effective.	Area.	Total.
					Acres.	*Acres.*
Oregon—Contd.	6	Malheur	John Day	July 1, 1911	1,262,840	
	6	Minam	Wallowa	do	448,330	
	6	Ochoco	Prineville	do	819,030	
	6	Oregon	Portland	Oct. 11, 1912	1,140,920	
	6	Paulina	Crescent	July 1, 1911	1,333,360	
	6	Santiam	Albany	do	710,170	
	6	Siskiyou [1]	Grants Pass	do	1,287,990	
	6	Siuslaw	Eugene	July 1, 1908	821,000	
	6	Umatilla	Heppner	July 1, 1911	566,920	
	6	Umpqua	Roseburg	July 1, 1911	1,193,440	
	6	Wallowa	Wallowa	do	1,097,670	
	6	Wenaha [2]	Walla Walla, Wash.	May 27, 1910	472,000	
	6	Whitman	Sumpter	July 1, 1911	949,230	
						16,023,220
South Dakota [3]	2	Black Hills	Deadwood	do	600,480	
	2	Harney	Custer	Apr. 29, 1912	640,950	
	1	Sioux [4]	Camp Crook	July 1, 1911	96,320	
						1,337,750
Utah	4	Ashley [5]	Vernal	Oct. 7, 1910	992,100	
	4	Cache [6]	Logan	Jan. 24, 1912	309,738	
	4	Dixie [7]	St. George	Feb. 10, 1909	460,800	
	4	Fillmore	Beaver	July 1, 1908	578,500	
	4	Fishlake	Salina	Mar. 30, 1911	668,590	
	4	La Sal [8]	Moab	Mar. 16, 1909	440,000	
	4	Manti	Ephraim	Oct. 4, 1912	798,610	
	4	Minidoka [9]	Oakley, Idaho	May 6, 1910	92,280	
	4	Nebo	Nephi	July 1, 1910	281,400	
	4	Pocatello [10]	Pocatello, Idaho	Feb. 18, 1911	10,815	
	4	Powell	Escalante	Sept. 26, 1910	704,700	
	4	Sevier	Panguitch	June 19, 1912	802,660	
	4	Uinta	Provo	Oct. 7, 1910	1,286,500	
	4	Wasatch	Salt Lake City	July 1, 1910	309,000	
						7,735,639
Washington	6	Chelan	Chelan	July 1, 1911	786,680	
	6	Columbia	Portland, Oreg.	July 1, 1908	942,200	
	6	Colville	Republic	May 9, 1910	816,000	
	1	Kaniksu [11]	Newport	May 6, 1910	370,480	
	6	Okanogan	Okanogan	July 1, 1911	1,541,000	
	6	Olympic	Olympia	Mar. 2, 1907	1,652,000	
	6	Rainier	Tacoma	Oct. 23, 1911	1,567,000	
	6	Snoqualmie	Seattle	do	1,042,000	
	6	Washington	Bellingham	July 1, 1908	1,490,000	
	6	Wenaha [12]	Walla Walla	May 27, 1910	320,000	
	6	Wenatchee	Leavenworth	July 1, 1910	1,157,000	
						11,684,360
Wyoming	4	Ashley [13]	Vernal, Utah	Oct. 7, 1910	6,060	
	2	Bighorn	Sheridan	July 2, 1908	1,136,200	
	2	Bonneville	Dubois	July 1, 1911	613,270	
	2	Bridger	Pinedale	do	577,850	
	4	Caribou [14]	Montpelier, Idaho	May 6, 1910	7,360	
	2	Hayden [15]	Encampment	Aug. 8, 1910	366,770	
	2	Medicine Bow	Laramie	July 1, 1910	511,382	
	4	Palisade [16]	St. Anthony, Idaho	do	256,200	
	2	Shoshone	Cody	July 1, 1908	1,609,000	
	2	Sundance	Sundance	Dec. 16, 1910	179,121	
	4	Targhee [17]	St. Anthony, Idaho	July 1, 1910	85,450	
	4	Teton	Jackson	Apr. 19, 1912	1,978,850	

[1] Total of Siskiyou in California and Oregon=1,694,250 acres.
[2] Total of Wenaha in Oregon and Washington=792,000 acres.
[3] South Dakota proclamations are modified by proclamation of Feb. 15, 1912. Areas not affected until perfection of State selection.
[4] Total of Sioux in Montana and South Dakota=211,580 acres.
[5] Total of Ashley in Utah and Wyoming=998,160 acres.
[6] Total of Cache in Idaho and Utah=579,660 acres.
[7] Total of Dixie in Arizona and Utah=1,067,000 acres.
[8] Total of La Sal in Colorado and Utah=470,500 acres.
[9] Total of Minidoka in Idaho and Utah=631,330 acres.
[10] Total of Pocatello in Idaho and Utah=292,560 acres.
[11] Total of Kaniksu in Idaho and Washington=835,740 acres.
[12] Total of Wenaha in Oregon and Washington=792,000 acres.
[13] Total of Ashley in Utah and Wyoming=998,160 acres.
[14] Total of Caribou in Idaho and Wyoming=702,360 acres.
[15] Total of Hayden in Colorado and Wyoming=442,470 acres.
[16] Total of Palisade in Idaho and Wyoming=557,500 acres.
[17] Total of Targhee in Idaho and Wyoming=823,450 acres.

National Forests—Location, date, and area, January 31, 1913—Continued.

State.	National Forest district No.	Forest.	Headquarters of supervisor.	Latest proclamation. Date effective.	Area.	Total.
					Acres.	*Acres.*
Wyoming—Con.	2	Washakie	Lander	July 1, 1911	393,950	
	4	Wyoming	Afton	July 1, 1908	912,000	
						8,633,463
Total of 160 National Forests in the United States						[1]160,193,996
Alaska	6	Chugach	Ketchikan	Oct. 28, 1910	11,267,850	
	6	Tongass	do	Feb. 16, 1909	15,481,000	
						26,748,850
Porto Rico	3	Luquillo		Jan. 17, 1903	65,950	65,950
Grand total of 163 National Forests.						187,008,796

[1] Of this gross area, approximately 13 per cent is alienated land held by States and individuals.

The following national monuments situated within National Forests have been created under the act of June 8, 1906 (34 Stat., 225), for the preservation of objects of historic or scientific interest:

Name.	National Forest.	State.	Latest proclamation. Date effective.	Area.
				Acres.
Cinder Cone	Lassen	California	May 6, 1907	5,120
Devil Postpile	Sierra	do	July 6, 1911	800
Gila Cliff Dwellings	Gila	New Mexico	Nov. 16, 1907	160
Grand Canyon	Tusayan, and Kaibab	Arizona	Jan. 11, 1908	806,400
Jewel Cave	Black Hills	South Dakota	Feb. 7, 1908	1,280
Lassen Peak	Lassen	California	May 6, 1907	1,280
Oregon Caves	Siskiyou	Oregon	July 12, 1909	480
Tonto	Tonto	Arizona	Dec. 19, 1907	640
Wheeler	Cochetopa, and Rio Grande.	Colorado	Dec. 7, 1908	300
Mount Olympus	Olympic	Washington	Apr. 17, 1912	608,480
Total area of national monuments within National Forests.				1,424,940

The following national game preserves situated wholly or in part within National Forests have been designated under special acts of Congress for the protection of wild animals:

Name.	National Forest.	State.	Act approved.	Latest proclamation. Date effective.	Area.
					Acres.
Grand Canyon	Tusayan, and Kaibab.	Arizona	June 29, 1906 (34 Stat., 607).	June 3, 1909	1,402,928
Wichita	Wichita	Oklahoma	Jan. 24, 1905 (33 Stat., 614).	June 2, 1905	57,120

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